Vol. 764
No. 40

Wednesday
9 September 2015

PARLIAMENTARY DEBATES
(HANSARD)

HOUSE OF LORDS
OFFICIAL REPORT

ORDER OF BUSINESS

£4·00

Lords wishing to be supplied with these Daily Reports should give notice to this effect to the Printed Paper Office.

No proofs of Daily Reports are provided. Corrections for the bound volume which Lords wish to suggest to the report of their speeches should be clearly indicated in a copy of the Daily Report, which, with the column numbers concerned shown on the front cover, should be sent to the Editor of Debates, House of Lords, within 14 days of the date of the Daily Report.

This issue of the Official Report is also available on the Internet at
www.publications.parliament.uk/pa/ld201516/ldhansrd/index/150909.html

PRICES AND SUBSCRIPTION RATES

DAILY PARTS

Single copies:
Commons, £5; Lords £4

Annual subscriptions:
Commons, £865; Lords £600

LORDS VOLUME INDEX obtainable on standing order only.
Details available on request.

BOUND VOLUMES OF DEBATES are issued periodically during the session.

Single copies:
Commons, £65 (£105 for a two-volume edition); Lords, £60 (£100 for a two-volume edition).
Standing orders will be accepted.

THE INDEX to each Bound Volume of House of Commons Debates is published separately at £9·00 and can be supplied to standing order.

All prices are inclusive of postage.

The first time a Member speaks to a new piece of parliamentary business, the following abbreviations are used to show their party affiliation:

Abbreviation	Party/Group
CB	Cross Bench
Con	Conservative
DUP	Democratic Unionist Party
GP	Green Party
Ind Lab	Independent Labour
Ind LD	Independent Liberal Democrat
Ind SD	Independent Social Democrat
Ind UU	Independent Ulster Unionist
Lab	Labour
LD	Liberal Democrat
LD Ind	Liberal Democrat Independent
Non-afl	Non-affiliated
PC	Plaid Cymru
UKIP	UK Independence Party
UUP	Ulster Unionist Party

No party affiliation is given for Members serving the House in a formal capacity, the Lords spiritual, Members on leave of absence or Members who are otherwise disqualified from sitting in the House.

House of Lords

Wednesday, 9 September 2015.

3 pm

Prayers—read by the Lord Bishop of Peterborough.

Oaths and Affirmations

3.07 pm

Lord Rogers of Riverside made the solemn affirmation, and signed an undertaking to abide by the Code of Conduct.

Tributes: Her Majesty the Queen

3.07 pm

The Lord Privy Seal (Baroness Stowell of Beeston) (Con): My Lords, today, Her Majesty the Queen becomes our country's longest-reigning monarch. We join millions of people across the United Kingdom, the Commonwealth and, indeed, the rest of the world who will mark this historic moment and thank her for the extraordinary service she has given to our country for more than six decades.

Throughout her reign, her commitment to public service has been beyond question. Her sense of public duty is as steadfast today as it was when she declared, aged just 21, that she would devote her whole life to the service of her people. She continues to demonstrate that commitment every single day. That is why I think she is so highly respected by all those she serves. All of us who seek to play a part in public life can have no better example than her.

The Queen's selfless sense of duty inspires our respect and fondness, not only in Britain but around the world. This is particularly true across the Commonwealth—an institution which owes much of its success to Her Majesty and the leadership she has provided. As a diplomat and an ambassador for Britain, it is hard to overstate what she has done for our country. It is testament to all that she has done that, throughout the world, she is not just a queen—she is the Queen.

We should perhaps pause for a moment to reflect on the truly remarkable scale of Her Majesty's service during her reign. In 63 years and 217 days, she has worked with 12 Prime Ministers, six Archbishops of Canterbury and nine Cabinet Secretaries. She has represented us on 265 official visits to 116 different countries, answered 3.5 million pieces of correspondence, sent over 100,000 telegrams to centenarians across the Commonwealth and has met more people than any other monarch in our history.

Her Majesty exemplifies the unique combination of tradition and progress that has come to define us as a nation. The United Kingdom in 2015 is a world apart from that of 1952, yet she has kept in touch with our national life throughout her reign. She has provided a rock of stability and an enduring focal point for all her people. But, at the same time, one of her greatest qualities is that she has continued to adapt, evolve and change the role of the monarchy, while always retaining the values of the institution—decency, honesty, humility and honour, which we all cherish.

The Queen has a remarkable gift for making everyone who has a chance to see her up close feel special, never mind those of us who have been privileged enough to meet her. I still remember standing with my parents among the crowds in Beeston in 1977, during the Silver Jubilee year, to wave as Her Majesty's car went by. Therefore, I was particularly honoured to be able to introduce my parents to Her Majesty at a royal garden party this summer. Like everyone else who has shared this privilege, meeting the Queen will remain with me until the end of my life.

Finally, as we mark this milestone, Her Majesty would no doubt want us to pay particular tribute to the service and support of her whole family, not least His Royal Highness the Duke of Edinburgh, who has stood by her side every day of her reign. It is a privilege to lead these tributes in our House. Her Majesty has served our country with unerring grace, dignity and decency. Long may she continue to do so.

3.11 pm

Baroness Smith of Basildon (Lab): My Lords, it is a great privilege to follow the noble Baroness the Leader of the House in paying tribute to Her Majesty the Queen on becoming our longest reigning monarch. On behalf of these Benches, I convey our warmest congratulations to Her Majesty on this historic day. Sixty-three years—or 63 years, seven months and two days to be precise—would be an extraordinary length of time to hold any position. As Head of State, it is a truly remarkable record of public service.

In February 1952, when the Queen ascended to the Throne, Winston Churchill was still Prime Minister and Harry Truman was in the White House. The death of the King was traumatic and unexpected. His service to the country during the war, and that of his family, endeared them to the nation and he was held in great affection. His unexpected death at just 56 was a terrible shock and brought great sadness to the nation, as well as to his eldest daughter, the new Queen. It was only seven years since the end of the war. Many people had suffered great losses and this was the end of an era. But alongside that sadness, there was hope. This was a nation emerging from a war and it had an exciting, positive and optimistic vision for the future. It welcomed the new, young Queen as part of that vision.

During her time on the Throne, we have all seen such huge social, cultural and technological change. With Winston Churchill as Prime Minister and Clement Attlee as leader of the Opposition the country finally abandoned the identity cards used during the war, but it would be another two years before food rationing ended—although, being very British, they were able to end tea rationing. Our greatest fear was the Cold War and the Iron Curtain. London saw the end of trams and the first performance of Agatha Christie's "The Mousetrap". The health service was in its infancy. Only 150,000 homes had a TV, with just one channel—so no "Coronation Street". No one had a computer or a laptop at home. The internet had not even been imagined. The first ever pop singles chart was published, with Al Martino at number one with "Here in My Heart". The nation's

[Baroness Smith of Basildon]
most popular food was a tin of Spam and what was to become the European Union was still called the European Coal and Steel Community. Throughout that time, through good changes and bad, Her Majesty has been a constant—a bridge from one era to another, linking our past to our present and towards our future.

Society has changed enormously in that time. The role of women has been transformed. Indeed, it would be another six years—not until 1958—before we as women were able to sit in your Lordships' House.

People from across the globe have made Britain their home and, as a result, our culture has been enlivened and enriched. Medical science has greatly lengthened life expectancy, something for which many of us are grateful.

As the country has changed, so has Her Majesty moved with the times but there is also something permanent about her that reassures us all in what seems like an ever changing world. Perhaps this goes a long way to explain her huge and enduring popularity, not just with British people and the Commonwealth but across the world. All of us here will have seen Her Majesty at State Opening, and many of us on other occasions as well. I have always been struck by her interest in those she meets.

There is a story, possibly apocryphal but utterly believable, of the VIP about to meet the Queen at an event who was in line to greet her on her arrival. A very modern man, he made it clear to everyone who would listen, including the press, that he was not going to bow. It was outdated in this day and age: he would stand up straight and shake hands. The great day arrived. He stood in place, ramrod straight. As the Queen progressed down the line, shaking hands and having a few words with each guest, he stood there waiting for his moment. She arrived. They shook hands and she said something, but so softly that he could not hear, so he leant forward as all the camera bulbs flashed, taking the photo of him bowing to the Queen. Some time later, he was retelling the story to a colleague, which is how I heard about it, who said, "Oh dear, she got you on that one too, did she?". I hope that it is true because it shows such dignity and a sense of fun.

I concur with the noble Baroness that it is also fitting that we reflect on the role of His Royal Highness Prince Philip the Duke of Edinburgh, who has been at Her Majesty's side throughout her reign and has been such a support to her in undertaking her responsibilities. We are also grateful to him.

Her Majesty's service to the country and the Commonwealth is rewarded by huge public affection and levels of popularity that any politician would give their right arm for. If any word could sum up her 63 years on the Throne, it would be this: duty. I believe that those of us who serve in Parliament understand this concept too, but for most of us, even those who reach the highest ministerial level, this duty is, by contrast to Her Majesty's, very short-lived.

As we heard from the noble Baroness, it is relatively straightforward to work out that the Queen has been served by 12 Prime Ministers during her reign, not to mention some 26 Leaders of your Lordships' House, or that she has seen 16 general elections come and go during those years. Much harder to calculate—the noble Baroness gave some excellent examples—is the number of red boxes she has worked her way through, the Cabinet minutes she will have read, the number of receptions and garden parties she has hosted and public engagements she has undertaken. We have heard some of those statistics, and those figures are to hand, but no one can count the number of people she has met and those whose lives she has touched. That is incalculable and invaluable.

Her Majesty did not choose to be Queen; it was thrust upon her at an unexpectedly early age. Her strong sense of duty that has been evident throughout her reign shows great respect to her country and the Commonwealth. We repay that respect today. So we congratulate Her Majesty, and thank her, and look forward to another such occasion next year as we celebrate her 90th birthday in a similar fashion.

3.18 pm

Lord Wallace of Tankerness (LD): My Lords, it is a privilege and pleasure to follow the Leader of the House and the Leader of the Opposition in paying tribute to Her Majesty the Queen and, from these Benches, to add our good wishes, congratulations and, above all, thanks to Her Majesty on the occasion of her service as our nation's longest-reigning monarch.

At the age of 61, I have lived in the reign of only one sovereign. I suspect that that puts me in a minority in your Lordships' House. But for the majority of our fellow citizens, the Queen alone embodies what we think of and understand by the monarchy. Over the course of her reign the Queen has been a constant in the lives of the British public during a period of immense change, not just in the United Kingdom but across the globe. The Queen's personal dedication to the Commonwealth has helped ensure a successful transition from an empire to a Commonwealth of free nations—very much a force for good in a troubled world.

The Queen has been an exemplary constitutional monarch. Her several Prime Ministers have spoken of her wisdom and valued advice. Her sense of service is not one of slavish, routine duty; rather, she gives herself fully, as if the person she is talking to—be it a visiting head of state, a civic dignitary or an individual in a crowd during a walkabout—is at that moment the most important person to her.

I am proud to be both British and Scottish and I am particularly pleased that the Queen is spending today in Scotland, taking a steam-train journey to open the new Borders Railway. On a day such as today, it is indicative of her genuine and lasting affection for Scotland, where she has always received a tremendous reception. I particularly remember 1 July 1999, when the Queen opened the newly established Scottish Parliament—an illustration of one of the many changes, some of them unimaginable in 1952, which have taken place during the Queen's long reign, throughout which she has shown constancy and brought to her role that sense of continuity and unity.

The Queen has shared the highs of our nation's life, including the 2012 Olympics and last year's opening of the Commonwealth Games in Glasgow. On an occasion

such as this, I can even bring myself to mention England's World Cup victory in 1966. But she has also shared our lows, consoling the bereaved families of the victims at Aberfan and Dunblane, and expressing the grief and compassion of the nation.

Like the Leader of the House and the Leader of the Opposition, I, too, think it is important that we recognise the unstinting support that the Queen has received from the Duke of Edinburgh. His dedicated service to our nation is also well worthy of a tribute.

This is not only a day on which to look back at the Queen's remarkable reign; we should also look to the future. The Queen's unshakeable commitment to public service throughout her 63 years and more on the Throne has ensured that we have a monarchy that is strong and relevant in a modern Britain, and where we see a remarkable degree of continuity for the future in the Prince of Wales, the Duke of Cambridge and Prince George.

On behalf of the Liberal Democrats, I offer our warmest good wishes to Her Majesty the Queen on this historic occasion. Long may she reign.

3.21 pm

Lord Laming (CB): My Lords, on behalf of my colleagues in the Cross-Bench group, I associate myself with the warm and very well-deserved good wishes to our Queen on this very special day. Those of us who are privileged to serve in this House cannot but be aware of the many times Her Majesty has graced this Chamber and, in particular, presented the gracious Speech.

Being in this part of the Palace also makes us mindful of the very many references to Queen Victoria in sculptures, paintings, mosaics and decorations of all kinds. The length of service Queen Victoria gave to the nation was indeed remarkable. But she was our longest-serving sovereign. Today we celebrate because Her Majesty Queen Elizabeth II now is the longest-serving monarch—what an achievement.

We humbly offer Her Majesty our warmest congratulations and, in doing so, it is right to reflect on the enormous changes that have taken place in this country, in Europe, in the Commonwealth and across the world during her time on the Throne. Indeed, during this country's darkest hours, Her Majesty was always a reassuring source of continuity and stability. Moreover, time and again she has shown a remarkable ability to respond positively to change. With a delicate subtlety, almost unnoticed, Her Majesty has ensured that the monarchy remains a vital and very important part not only of this country but of the wider world. Her ability to respond to change, both large and small, is so well established that I feel sure that had she had the opportunity to do so, she would have put me to shame today as I was trying to change the password on my computer.

We should not underestimate the esteem in which Her Majesty is held throughout the Commonwealth and, indeed, as has been said, throughout the world. She is rightly admired, and held in such high regard, because of her unswerving devotion to service and her calm attention to duty.

Her Majesty and her family have set for us all an example in so many ways. It is right to give special mention of what she and her family have given to charities, industry, churches and public services—and, indeed, the support that they give to every part of civic life that goes together to make sure that we have healthy communities in our society. As has been said, in this we should pay particular regard to the remarkable support throughout her reign given by His Royal Highness, Prince Philip, the Duke of Edinburgh.

The ways in which Her Majesty fulfils the huge responsibilities of her role as head of state, combined with her natural charm, make us realise our very great good fortune. This is indeed a day for celebration. We humbly congratulate Her Majesty and offer her our sincerest thanks and warmest good wishes in her continued service to us all.

3.26 pm

The Lord Bishop of Peterborough: My Lords, 1952 was a good year: Her Majesty the Queen acceded to the Throne in February and I was born in August. That puts me in the majority of people in this country—although, I suggest, perhaps not in your Lordships' House—whose whole lives have been lived in her reign. Those 63 years, coming up to 64, have seen immense change and an immense pace of change. Institutions and authority figures have become more accountable and often less trusted. The monarchy and the Royal Family have been through difficulties, but the Queen has come through as completely trusted and deeply loved. This is not because of the institution of the monarchy but because of her personal character and integrity.

One of the privileges of diocesan bishops in the Church of England is that we spend time meeting the Queen one-to-one when we make our oath of allegiance. It was potentially a terrifying moment for me, five and a half years ago, but in reality a joy. As many others have testified, she was completely natural, put me at my ease and talked easily about Chester where I had come from and Peterborough where I was going. Further down the line an even more daunting privilege loomed, as I was invited to spend a weekend at Sandringham with the Queen, some of her family and other guests. This included preaching before the Royal Family, more one-to-one conversations and a private dinner with the Queen and Prince Philip, to whom we also must pay tribute, after the other guests had left. Once again she put me at my ease in a variety of ways, talking of families and everyday matters, relaxing and laughing. She surprised me with a dry sense of humour and confirmed all that I had heard about her encyclopaedic knowledge. She was apparently unguarded at times but with no sign at all of malice or ill will. I had a delightful weekend.

For Christians, and I think for many others, the Queen's Christmas messages to the Commonwealth have been hugely encouraging. She talks about her own situation, about people she has met and places she has visited, and she is open about her own faith and its importance to her. Many of us are deeply grateful for that example of faith and witness in the public square. On behalf of the Bench of Bishops of the Church of

[The Lord Bishop of Peterborough]
England, and I trust of all people of any faith or none, I gladly pay tribute, offer deep thanks and pledge continued loyalty to Her Majesty.

Sudan

Question

3.29 pm

Asked by ***Lord Chidgey***

To ask Her Majesty's Government what is their assessment of the effectiveness of sanctions against Sudan's leaders and the extension of the UNAMID mandate, following recent reports by Amnesty International of alleged war crimes continuing to be committed by President Bashir's regime in the Blue Nile, Darfur and South Kordofan regions.

The Earl of Courtown (Con): My Lords, the recent reports on the impact of conflict on the people of Sudan are deeply troubling and show the continuing need for a strong international response. In June, the United Kingdom led negotiations that resulted in the successful renewal of a mandate focused on the protection of civilians for the AU/UN hybrid mission in Darfur, despite calls from the Government of Sudan for its exit. We are also working through the Security Council to increase the effectiveness of UN sanctions.

Lord Chidgey (LD): I thank the Minister for that reply. Sudan has 570 tribes, speaking 595 different languages, and 57 ethnic groups, yet the overwhelming majority of the 300,000 killed by the Khartoum regime since 2003 and of the 3 million displaced refugees are from non-Arab, African tribal groups. That raises fears of incipient genocide. What action are the Government taking to press Khartoum to face the challenges of impunity and accountability as set out in 15 specific recommendations in the recent UN report? Has the massive trade deal signed by President al-Bashir with the Chinese not fatally undermined US-led sanctions and the remote chances of dialogue in Addis Ababa between rebels and Khartoum, so leading us towards stronger, UN-led intervention?

The Earl of Courtown: My Lords, to deal with the first part of the noble Lord's question, I can say that we take action to press for an end to impunity at different levels. With EU partners, we continue to call for compliance with the ICC arrest warrants; through bilateral lobbying, UN Security Council action and support for the peace process, we continue to press the Government of Sudan for an end to aerial bombardments. I cannot comment on US sanctions policy. However, we continue to call for both the Government of Sudan and all other parties to the conflict to engage in dialogue and to move towards a renewed and comprehensive peace process.

Baroness Cox (CB): My Lords, is the Minister aware that I visited Blue Nile state earlier this year and witnessed first hand the terror and the suffering of civilians subjected to constant aerial bombardment by the Government of Sudan, who deliberately targeted markets, schools, clinics and people trying to harvest their crops? The bombers now come with searchlights, so they kill by night as well as by day. The Government of Sudan continue these genocidal policies with genuine impunity. What really effective measures will Her Majesty's Government take to break this impunity, such as the imposition of targeted sanctions?

The Earl of Courtown: I pay tribute to the noble Baroness's work in this sector. We have constantly raised the issue of attacks on civilians in the two areas in both the UN Security Council and the Human Rights Council. We continue to emphasise to all sides that resolution of the conflict can be achieved only through political dialogue and not through military means. At present, we judge that the best way the UK can promote such dialogue is through supporting the African Union negotiation track rather than through sanctions.

Baroness Kinnock of Holyhead (Lab): My Lords, can the Minister give us his assessment of the *Doha Document for Peace in Darfur*, in the light of the continuing attacks that we see on civilians and evidence that more than 3 million people continue to live in camps, who face attacks, violence, murder and of course rape? According to the UN, they are being shot, killed and abducted with near total impunity for their attackers.

The Earl of Courtown: The noble Baroness, who also has experience in this area, brings attention to the *Doha Document for Peace in Darfur*. This has a wide range of helpful provisions that, if implemented, could help promote stability in Darfur and contribute to a political settlement. We are therefore disappointed that it has not been implemented fully and that, as a result, the terrible conflict continues, as she highlighted. We continue to monitor the DDPD process, including through the attendance of Her Majesty's Government at this week's implementation follow-up committee meeting in Qatar. However, given the urgency of the situation in Sudan, it is right to also pursue other avenues towards peace, including the efforts of the AU high-level implementation panel.

Lord Avebury (LD): My Lords, does the Minister agree with Amnesty International that the atrocities committed by the Sudanese armed forces in South Kordofan, including deliberate attacks on civilians, hospitals, schools and NGOs, constitute war crimes for which the leaders of the junta should be indicted? Could we propose to the UN Security Council that a task force be appointed to collect the evidence that would allow such prosecutions to be made at the International Criminal Court against any of the criminals who might stray into the jurisdiction of countries that believed in the rule of law?

The Earl of Courtown: My Lords, the noble Lord raises the terrible issues in Darfur, including two areas where nearly 5.5 million Sudanese remain in need of humanitarian aid. He mentions the ICC, which I know is keeping a very close watch on this issue, but the UN has also extended the use of UNAMID, which is operating in extremely difficult and challenging environments and is basically there for the protection of civilians.

Lord Foulkes of Cumnock (Lab): Does the Minister accept that the problem of refugees relates not just to people fleeing oppression in Syria? There are refugees from many countries in Africa, including Sudan. Does he agree with what Peter Sutherland said at the weekend: that this is a problem not just for the European Union but for the whole world, and that other countries including Australia, Canada and the United States ought to be mobilised to help in the way that we did for the Vietnamese boat people?

The Earl of Courtown: I did not read the piece that the noble Lord mentioned, but it is a matter for the whole world. Some refugees from Sudan come from Sudan but others travel through it from Eritrea and other countries.

The Earl of Sandwich (CB): Does the Minister recall that when the UNAMID force was in being before, it was unable to protect some of the non-governmental organisations and local groups working in Darfur? Will the new mandate ensure that the UN force is strengthened in that direction?

The Earl of Courtown: As I said in the previous answer, UNAMID operates under extremely difficult circumstances and is doing as much as it can at the moment. We are encouraging it to do more.

Civil Partners: Siblings

Question

3.37 pm

Asked by ***Lord Lexden***

To ask Her Majesty's Government why they have no plans to amend the Civil Partnership Act 2004 to enable siblings to register as civil partners.

The Parliamentary Under-Secretary of State, Department for Communities and Local Government (Baroness Williams of Trafford) (Con): My Lords, the Government have no plans to amend the Civil Partnership Act 2004 to enable siblings to register as civil partners. Civil partnerships are the equivalent of a marriage: a loving union. They were created to enable same-sex couples to obtain legal recognition of their relationship at a time when marriage was not possible for them.

Lord Lexden (Con): Is it not the case that in Britain today all other stable and loving couples are now able to formalise their relationships in legal terms—so vital for inheritance and its tax implications? If sibling couples are to be denied civil partnerships, how do the Government propose to address the injustice that will arise on the death of one of them, with the survivor having to sell the family home to pay inheritance tax, from which civil partners are exempt?

Baroness Williams of Trafford: My Lords, the Government recognise the unique legal and financial commitment that married and same-sex couples enter into. Introducing a new tax relief would either impact on the provision of public services or place the burden of tax on the less well off.

Baroness Barker (LD): My Lords, civil partnership legislation enables two people to become next of kin. Siblings already are next of kin. Does the Minister agree that what the noble Lord, Lord Lexden, proposes would be a wholly inappropriate application of the legislation?

Baroness Williams of Trafford: The noble Baroness makes a very valid point that the two relationships are in fact entirely different, and same-sex partners or married couples now have that protection in law which they previously did not have.

Lord Cashman (Lab): My Lords, does the Minister agree that commitment to a civil partnership is not about financial incentive but is an emotional commitment, as well as a celebration of that partnership in wider society?

Baroness Williams of Trafford: The noble Lord is absolutely right—it is a far deeper commitment than just that of finance.

Lord Forsyth of Drumlean (Con): Would my noble friend not agree that my noble friend Lord Lexden makes an important point? Two siblings who have looked after each other, or a daughter who has looked after a mother in a family home, find that they do not enjoy the same benefits in terms of liability for inheritance tax. Surely, as a Government who are committed to fairness in society, that is something that needs to be addressed urgently.

Baroness Williams of Trafford: My Lords, I go back to the comments made by the noble Baroness, Lady Barker, that, previous to the Civil Partnership Act, same-sex couples did not have the rights that siblings have. The new inheritance tax laws are in fact extremely generous to siblings, with up to £1 million being passed tax free to siblings—and, indeed, children of an individual can also benefit to the tune of almost £500,000. Anyone who has an estate of over £500,000 or £1 million has well over the average estate in this country.

Baroness Hollis of Heigham (Lab): Does the Minister not agree that there may well be a case for reviewing inheritance tax status—I am open on that question—but would she not also agree that the other side of the civil partnership is financial responsibility in social security terms for life? That means that a mother might be better off than a son and might be financially responsible for the maintenance of that son, and, equally, a sister might be financially responsible for a brother if they were in a civil partnership. In other words, you cannot have the inheritance advantages but not also some of the downsides associated with social security.

Baroness Williams of Trafford: The noble Baroness is right in that, if there is to be a review of inheritance tax law, it is in an entirely different context to mixing it up with same-sex marriage and, indeed, civil partnerships. As for the social security aspects that children or siblings may wish to avail of, the law is actually very generous in that area, and an application can be made in terms of the caring role of either a carer or a child.

Viscount Ullswater (Con): My Lords, would Her Majesty's Government reconsider their stance on civil partnerships for heterosexual couples? Apart from fairness and equality of treatment, many older people would wish to benefit from the financial security and the next-of-kin advantages that it offers without going through a marriage ceremony, which can very often upset their children.

Baroness Williams of Trafford: My Lords, there was no appetite from Parliament to do that when the Marriage (Same Sex Couples) Act was considered. A review of the Civil Partnership Act was carried out in 2014, which included questions on abolishing the civil partnerships for same-sex marriage and opening up civil partnerships for opposite-sex couples. There were 10,000 respondents to that review, and fewer than one-third supported the abolition of civil partnerships, while three-quarters of them opposed opening up civil partnerships to opposite-sex couples.

The Lord Bishop of Chester: My Lords, can the Minister confirm what I think I heard her say—that the change in the inheritance arrangements for married people and civil partners, which will enable an exemption from inheritance tax, actually applies to siblings as well? That is not how I understood the changes to apply.

Baroness Williams of Trafford: My Lords, perhaps I did not explain it properly, but there is an exemption of £325,000, which a spouse may pass on to their surviving partner when they die. That can then be passed down to their children or grandchildren, and there is an additional tax-free exemption of £175,000 on the main property, which can also be passed over in the same way.

Lord Tebbit (Con): My Lords, do the words "slippery slope" come into my noble friend's mind as she answers these questions?

Baroness Williams of Trafford: My Lords, the words "society has changed" comes into my mind as we debate this. I have had many discussions with my children on it, and I reminded them that 200 years ago slavery was alive and well and living in this country, and 40 years ago, when I was a child, there were bed and breakfasts that said "No Irish, No Blacks, No Dogs". We are now in the 21st century, society has moved on, and as an Irishwoman, I can tell noble Lords that no one was happier than me that Ireland had moved on.

Freight Industry: Operation Stack

Question

3.44 pm

Asked by ***Baroness Randerson***

To ask Her Majesty's Government what assessment they have made of the costs to the freight industry and to the British economy of the implementation of Operation Stack in recent months.

The Parliamentary Under-Secretary of State, Department for Transport and Home Office (Lord Ahmad of Wimbledon) (Con): My Lords, the Government have not completed an assessment of the economic impact of the implementation of Operation Stack, either on the freight industry or the British economy. The main cost to hauliers is the disruption to cross-channel services rather than Operation Stack itself, but we are acutely aware of the impact it has on both local communities and businesses in Kent in particular, and are rapidly exploring longer-term solutions.

Baroness Randerson (LD): I am very pleased to hear that Answer from the Minister. The migrant crisis and the ferry dispute combined have had a major impact on the UK, and the economic and social impact on the freight industry, its drivers, the Port of Dover, Eurotunnel, Kent Police, holidaymakers and, not least, the people of Kent, has been massive. Can the Minister assure us that the Government are looking positively at alternative solutions for the future, and possibly looking at a contraflow solution as used in 2005, with those problems firmly in mind?

Lord Ahmad of Wimbledon: I assure the noble Baroness that I was directly involved in many of the COBRA meetings over the summer that dealt with Operation Stack and the alternatives. As the noble Baroness may be aware, the Government put in place a temporary measure at Manston Airport in Kent to relieve those pressures. Thankfully, since 31 July we have not had to invoke Operation Stack. Nevertheless, I assure the noble Baroness that we are working with local partners, including Kent Police, Kent County Council and other key local stakeholders to ensure exactly what she says: a long-term solution that works for the benefit of the British economy and the people of Kent.

Lord Berkeley (Lab): My Lords, at the other end of the channel in Calais there is equal chaos. While I welcome a new fence around the Eurotunnel terminal, which may help to reduce the incursion of migrants, can the Minister confirm that the rail freight terminal next door—I declare an interest as chairman of the Rail Freight Group—will be incorporated by the same quality fence and have the same policing? Rail freight has virtually stopped in the past week, which is extremely bad for the industry and, of course, for the economy.

Lord Ahmad of Wimbledon: The noble Lord speaks with experience of this area. Of course, those seeking to cross the channel targeted and had a major impact on rail freight. It is just not about fencing. The Home Secretary, along with her team and the French Government, had several meetings with Bernard Cazeneuve, the French Interior Minister, to ensure a comprehensive protection programme for all facilities on the other side of the channel. We continue to work closely with the French Government in ensuring that those who seek to enter the UK use the appropriate channels so that we can prevent the kind of scenes we saw over the summer.

Lord Bradshaw (LD): My Lords, this problem is not likely to go away very quickly. It is likely to occur again several times in the future. Are the facilities at

Manston Airport up to dealing with these people? Are there facilities for eating and refreshment, lavatories and security? The place at Manston must have all those things if it is to be taken seriously by the haulage industry.

Lord Ahmad of Wimbledon: The short answer to that is yes; the last thing the Government want is aggravated lorry drivers and hauliers who are not satisfied with the facilities. The points the noble Lord has raised, including security, are directly addressed in that provision at Manston.

Lord Imbert (CB): Is this not an appropriate time to send our congratulations and thanks to the services—fire, police and ambulance—which kept the peace during Operation Stack? None of them complained about being put on night duty at 10 minutes' notice. As a long-serving police officer, I know what it is like when you have arranged to take your child to a birthday outing the following day, your one day off, and the superintendent says, "Sorry, lad, you're reporting to me at 11 pm tomorrow, and make sure your motorcycle is full of petrol. You're on night duty on Operation Stack". We have heard the Home Secretary criticise the police many times during the last year and I will not argue that those criticisms were not deserved, but it would help a demoralised service if occasionally the Government could say thank you to those who work unsocial hours at a moment's notice, dealing with the frustration and anger that is building up on Operation Stack.

Lord Ahmad of Wimbledon: The short answer is that I join the noble Lord in paying tribute to all the local services, including the police, which did a sterling job during the summer in dealing with what was a challenge for the whole country.

Lord Davies of Oldham (Lab): My Lords, I think the whole House recognises that the police and other services came out of that situation with their reputations enhanced, but we cannot say that for the two Governments who created this shambles. Will the Minister recognise just how dangerous and damaging to our exports this failure was over that period? Does he appreciate that exports are lost when blocks of this kind occur? How dare the Government prevent British cheese being exported to Normandy and British sparkling wine being exported to the Champagne region of France?

Lord Ahmad of Wimbledon: My short response is that sometimes I think that the Opposition should show magnanimity in terms of the challenges that the Government faced and the action taken. There was general recognition that this was a major challenge for the whole country. The Government acted with our partners in France and with the local services, as we have heard, in a manner that reflected the needs of the country and to ensure a short-term and long-term solution.

Baroness Farrington of Ribbleton (Lab): My Lords, does the Minister agree that the Government could set an example on magnanimity, given the number of times that they refer to the previous Labour Government?

Lord Ahmad of Wimbledon: I, for one—and I am sure that I speak for colleagues on the Front Bench—am certainly always magnanimous in acknowledging everyone around the House.

Syria: Christian Refugees

Question

3.52 pm

Asked by ***Lord Green of Deddington***

To ask Her Majesty's Government whether they intend to prioritise Christian refugees from Syria in their plans to resettle further refugees in the United Kingdom.

The Parliamentary Under-Secretary of State, Department for Transport and Home Office (Lord Ahmad of Wimbledon) (Con): My Lords, the Prime Minister has already announced that over the course of this Parliament the United Kingdom will resettle up to 20,000 more Syrian refugees. The expanded programme will prioritise the most vulnerable refugees, particularly children and women at risk of abuse. It will not distinguish on the basis of religion.

Lord Green of Deddington (CB): My Lords, I am grateful for that Answer from the Minister. Is he aware of an article in the Sunday press by the noble and right reverend Lord, Lord Carey of Clifton? He reported that Christians have been targeted by ISIL for crucifixion, beheading and rape. Even now, they are not to be found in the UN camps because they have been attacked by Islamists and have had to find refuge in private houses and churches. Will the Government now assure this House that they fully understand the plight of Syrian Christians and that they realise that they are not in the camps for the reason I have given? If they reach an agreement with the UNHCR that does not take account of that fact, they are discriminating against Christians, who have suffered from these events at least as much as anybody else. It can be done; it is a question of the small print. Let it be done.

Lord Ahmad of Wimbledon: I assure the noble Lord that the Government take all persecution against any minority very seriously. In his consideration, he mentioned the Christians; and we have seen the appalling scenes against the Yazidis. All minorities who are suffering such persecution at the hands of this hideous ISIL entity will be dealt with in the proper way, by ensuring that their vulnerabilities are protected and they are given the protection they deserve.

Baroness Falkner of Margravine (LD): Does the noble Lord agree that Muslim countries, the Gulf states and particularly Saudi Arabia, which are oil rich, should be taking their share of refugees from Syria—on the basis not of religious apartheid but of vulnerability, need and genuine fear of war and persecution?

Lord Ahmad of Wimbledon: I totally agree with the noble Baroness. Let us put it into context: every religion of the world, at its inception and in its fundamentals, talks about non-discrimination. The countries around that region should put their faith into practice.

Baroness Berridge (Con): My Lords—

Baroness Rawlings (Con): My Lords, the work of the Weidenfeld Safe Havens Fund focuses on these ancient Christian communities that are under direct threat from ISIS and hide in fear of death and martyrdom, and for whom no special ultimate home has been found. Does the Minister not agree that this is not a question of discrimination? Threatened Muslims in the area have financial resources available in the Arab world, and are able to move more freely than Christians to find freedom. Following the Lord Privy Seal's answer to your Lordships' House on Monday to the most reverend Primate the Archbishop of Canterbury, when is the Prime Minister planning to discuss with the UNHCR the plight of the Christians who are forced to flee and are not even allowed in the camps?

Lord Ahmad of Wimbledon: I assure my noble friend that the plight of Christians and, as I said, Yazidis and all minorities, is not going to be discussed but is being discussed to ensure that they get the protection they deserve, and that resources are made available to them. That is why the Government are looking quite specifically at ensuring that the refugees who are granted settlement in the UK are very much those currently in the areas surrounding Syria and Iraq, because they perhaps are the most deserving in terms of their security needs.

Baroness Berridge: My Lords—

Lord Clinton-Davis (Lab): My Lords—

Lord Wright of Richmond (CB): My Lords—

The Lord Privy Seal (Baroness Stowell of Beeston) (Con): My Lords, it is not necessary for the noble Lord, Lord Clinton-Davis, to sit down because it is the turn of the Labour Benches.

Lord Clinton-Davis: My Lords, people of many faiths and none have sought refuge from oppression not only in Syria but elsewhere. Accordingly, are they not entitled to expect to be regarded in a much more benign and civilised way than this Government have exhibited so far?

Lord Ahmad of Wimbledon: As I said yesterday from this Dispatch Box, and as my noble friend the Leader of the House said, this country has a history of showing mercy and tolerance. Also underlying our policy is showing humanity towards any persecuted minority or people across the world. We continue to do so, and that applies no differently when dealing with the Syrian refugee crisis.

Lord Wright of Richmond: My Lords—

Baroness Berridge: My Lords—

Baroness Stowell of Beeston: My Lords, the House is calling for my noble friend Lady Berridge. I suggest that we hear from her, and if we are brief we can get to the noble Lord.

Baroness Berridge: My Lords, while no one can theologically or legally defend prioritising people on the grounds of their faith alone, can the Minister confirm that, just as giving Ugandan Asians refuge here was not prioritising people on the grounds of their race, where there is evidence of persecution on the grounds of faith or belief, membership of those communities should be a relevant criterion used by the UN and the UK in assessing those in greatest need?

Lord Ahmad of Wimbledon: That is exactly what our current policy is.

Lord Wright of Richmond: My Lords, is the Minister aware that a large number of Syrians—Christian and others—are fleeing from the atrocities of ISIL but deciding to remain in Syria? I am told that it is estimated that the population of Damascus has increased by 100% in the past two years.

Lord Ahmad of Wimbledon: The Government are aware of that, and that is why I should say to the noble Lord that part of the £1 billion that they have allocated is helping those refugees who are directly displaced within the borders of Syria itself.

Natural Environment Bill [HL]

First Reading

4 pm

A Bill to make provision for the setting of biodiversity and other targets; to establish a Natural Capital Committee; to require local authorities to maintain local ecological network strategies; to identify species threatened with extinction; for access to quality natural green space; and to include education about the natural environment in the curriculum for maintained schools.

The Bill was presented by Baroness Jones of Moulsecoomb, read a first time and ordered to be printed.

Misuse of Drugs Act 1971 (Temporary Class Drug) (No. 2) Order 2015

Merchant Shipping (Alcohol) (Prescribed Limits Amendment) Regulations 2015

Motions to Approve

4 pm

Moved by ***Lord Ahmad of Wimbledon***

That the order and regulations laid before the House on 19 May and 22 June be approved.

Relevant documents: 1st Report and 2nd Report from the Joint Committee on Statutory Instruments (Special attention drawn to the first instrument). Considered in Grand Committee on 7 September.

Motions agreed.

Civil Legal Aid (Merits Criteria) (Amendment) Regulations 2015

Motion to Approve

4.01 pm

Moved by ***Lord Faulks***

That the draft regulations laid before the House on 25 June be approved.

Relevant document: 1st Report from the Joint Committee on Statutory Instruments. Considered in Grand Committee on 7 September.

Motion agreed.

Armed Forces Act (Continuation) Order 2015

Motion to Approve

4.01 pm

Moved by ***Earl Howe***

That the draft order laid before the House on 7 July be approved.

Relevant document: 2nd Report from the Joint Committee on Statutory Instruments. Considered in Grand Committee on 7 September.

Motion agreed.

Scotland Act 1998 (Modification of Schedules 4 and 5) Order 2015

Motion to Approve

4.01 pm

Moved by ***Lord Keen of Elie***

That the draft order laid before the House on 29 June be approved.

Relevant document: 1st Report from the Joint Committee on Statutory Instruments. Considered in Grand Committee on 7 September.

Motion agreed.

Energy Bill [HL]

Committee (2nd Day)

4.02 pm

Relevant documents: 6th and 7th Reports from the Delegated Powers Committee, 4th Report from the Constitution Committee

Clauses 37 to 39 agreed.

Clause 40: Amount of financial penalty

Amendment 32

Moved by ***Lord Bourne of Aberystwyth***

32: Clause 40, page 22, line 6, at end insert—

"( ) The OGA must lay any guidance issued under this section, and any revision of it, before each House of Parliament."

Amendment 32 agreed.

Clause 40, as amended, agreed.

Clauses 41 to 56 agreed.

Amendment 33

Moved by ***Lord Bourne of Aberystwyth***

33: After Clause 56, insert the following new Part—

""Part 2A

Infrastructure

Requirements to provide information

(1) The Energy Act 2011 is amended as follows.

(2) In section 87 (powers to require information), after subsection (5) insert—

"(5A) A notice under subsection (1), (2) or (3) that imposes a requirement on a person must specify when the requirement is to be complied with."

(3) After that section insert—

"87A Appeals against requirements to provide information

(1) Any person on whom a requirement is imposed by a notice under section 87(1), (2) or (3) may appeal against the notice to the Tribunal on the grounds that—

(a) the information required by the notice is not relevant to the exercise by the OGA of its functions under this Chapter, or

(b) the length of time given to comply with the notice is unreasonable.

(2) On an appeal under this section the Tribunal may—

(a) confirm, vary or cancel the notice, or

(b) remit the matter under appeal to the OGA for reconsideration with such directions (if any) as the Tribunal considers appropriate.

(3) In this section "the Tribunal" means the First-tier Tribunal.

87B Sanctions for failure to provide information

(1) A requirement imposed by a notice under section 87(1), (2) or (3) is to be treated for the purposes of Chapter 5 of Part 2 of the Energy Act 2016 (power of the OGA to impose sanctions) as a petroleum-related requirement.

(2) But the OGA may not give a revocation notice or an operator removal notice under that Chapter by virtue of this section.""

The Parliamentary Under-Secretary of State, Department of Energy and Climate Change and Wales Office (Lord Bourne of Aberystwyth) (Con): My Lords, I will now speak to government Amendments 33 and 34. Amendment 33 inserts a new Part 2A into the Bill which amends the third-party access to upstream petroleum infrastructure regime found in the Energy Act 2011. Specifically, it amends Section 87 of the 2011 Act, which relates to powers to require information, and inserts new Sections 87A and 87B, which make provision for appeals and sanctions respectively. This amendment requires that where the Oil and Gas Authority issues a notice under Section 87 of the 2011 Act requiring information to be provided, it must specify a time for compliance with that notice.

The amendment also provides an appeal right to the First-tier Tribunal against the issuance of a notice on the grounds that the information required is not relevant to the Oil and Gas Authority's functions relating to third-party access or that the length of time given to comply with the notice is unreasonable.

Amendment 34 also allows for any requirements imposed by such a notice to be treated as petroleum-related requirements and therefore to be sanctionable under Chapter 5 of the Bill. However, the Oil and Gas Authority will not be able to revoke a licence or terminate an operatorship in relation to such breaches.

[Lord Bourne of Aberystwyth]

Amendment 34 inserts two new sections into the Energy Act 2011, which established the third-party access to upstream petroleum infrastructure regime. New Section 89A allows for applications for access to upstream petroleum infrastructure made under Section 82 of the 2011 Act to be assigned to another party. New Section 89B allows for a new owner of infrastructure to which an application for access has been made to be treated as a party to that application. The amendment also ensures that where ownership of infrastructure in respect of which a notice under Section 82(11) imposing access rights has been issued is transferred, the obligations under the notice transfer as well.

Once such an assignment or transfer occurs, anything that was done by the original party is treated as having been done by the party to which the application was assigned or the ownership transferred. The provisions allow for the third-party access regime to continue rather than having to restart on a change of party, facilitate the transfer of non-commercially sensitive information already provided to the Oil and Gas Authority and ensure that all new parties are aware of the relevant history of the application.

The amendments will increase the utility of the third-party access to upstream petroleum infrastructure regime, which is an important tool in the Oil and Gas Authority's pursuit of maximising economic recovery for the United Kingdom. I beg to move.

Lord Teverson (LD): I thank the Minister for his explanation of a somewhat technical new clause. I think that the Minister went through liability, but very quickly. Clearly, all sorts of liabilities are potentially incurred by someone who has these access rights. If there is a change of ownership or the rights are assigned to a further party, who takes any legal liabilities that may not have been resolved or may be found after the date of transfer that relate to the period before? I wonder whether that is clear, because I imagine that such liabilities could in certain circumstances be quite onerous. I would be interested to hear the Minister's remarks on that.

Baroness Liddell of Coatdyke (Lab): My Lords, perhaps I may ask the Minister a question relating to new Section 89A introduced by Amendment 34. I drew attention at Second Reading to my entry in the register of interests as a non-executive director of the Offshore Renewable Energy Catapult. I drew attention, too, to some interesting ideas that are developing about the use of decommissioned oil and gas facilities in the UK continental shelf for renewable energies, in particular in the area of offshore wind.

Given that the new sections introduced by the clause relate to the powers of the Oil and Gas Authority, would that be a limiting factor given that these renewable technologies are not hydrocarbons? I find it quite a complicated clause to work my way through. I am seeking to ascertain—it may be that the Minister cannot give me an answer today, but perhaps officials could take a look at it—whether there is protection of the possibility in future of previous hydrocarbon capabilities being used for offshore renewable energy. I took some comfort from the use of the word "facility", which suggests that there might be some leeway there, but given that I am not a lawyer—although there are people in this Chamber who are—perhaps the Minister can give a slightly better answer to those of us who do not have that kind of expertise.

Baroness Worthington (Lab): My Lords, I am grateful to the Minister for introducing these amendments at the beginning of the second day of Committee. Before going on to discuss them, I am afraid that I want to revisit the issue of the impact assessment. Since our debate on Monday, a partial impact assessment has been issued. The date on the impact assessment as published is 17 June 2015; the date of signing by the Minister is 7 September 2015. What happened in the intervening months? Why was it not made available to us during the Summer Recess? In fact, it could have been made available to us before Second Reading, had it been published closer to the date on which it was presumably drafted.

Now we have it, but it is only a partial impact assessment. We are still missing the impact assessment for the most controversial elements of this Energy Bill—namely, the clauses on onshore wind. Will the Minister give me a strong confirmation that we will have that in good time for our debate on Monday? If that is not the case, we may have to take further steps because this is simply not good enough. The Committee is not being treated in the way that it should be on these issues. This information is important and it is an important Bill. We should not be seeking to rush it through without due scrutiny. That said, I will move on to the amendments.

The impact assessment is interesting, as these things tend to be, which is why we like to see them. It confirms some of the issues that we debated on Monday such as the rapidly changing nature of activity in the North Sea. The impact assessment reiterates that we are seeing a sharp decline in production and investment into the North Sea and times are changing very fast. However, unfortunately, the impact assessment does not give any reassurance that the Government are applying any long-term vision to this issue. On page 10 of the impact assessment, we see that there has indeed been talk in the Government about what to do about these rapidly changing circumstances. Ideas have been discussed and mooted, and four of them are mentioned on page 10. There is absolutely nothing about repurposing the North Sea or considering how it might be reused.

I am grateful to my noble friend Lady Liddell for her contribution. She talked in terms of reuse for renewables, but I am far more concerned, as I am sure the Minister is now aware, with reuse for carbon capture and storage. There is no mention of repurposing a site for storage and no mention at all of decommissioning within the role of the OGA in relation to this moving forward. We have an impact assessment, but it does not exactly give me any great cause for reassurance. I am hoping that we will continue to revisit these issues when we come to Report. They relate very much to the scope of this piece of legislation.

Turning to the amendments, I want to give one illustration of why the scope issue of the OGA is so important. Under Amendment 33, we are being

introduced to the concept of the right to appeal. After Clause 56, the amendment would insert new Section 87A, under which an appeal can be lodged if,

"the information required by the notice is not relevant to the exercise of the OGA or its functions under this Chapter".

On Monday, we had considerable debate about the issue of the functions and the principal objectives of the OGA. Will the Minister reassure me that yet again this reference to the OGA functions includes the need for information to be made available in relation to carbon capture and storage?

I hesitate to go over the ground we went over on Monday, but we need clarity on the principal objectives of this new body. I request that we have the primary objectives as set out in the Infrastructure Act, which amended the Petroleum Act 1998, stated on the face of the Bill. We could have some consolidation. Instead of having to refer back to pieces of legislation that then amended other pieces of legislation, could we not have some clean objectives clearly stated so that we can then interpret all of these powers and changes that the OGA will be overseeing in light of the clear statement of the primary objectives? Those primary objectives must be fit for purpose. They must cover the issues we have raised in relation to decommissioning and repurposing for use in carbon capture and storage.

I hope that the Minister will be able to respond with some reassurances on the general point about the Bill handling but also in relation to that specific issue on Amendment 33. Can he assure me that the appeals will not allow the industry to claim that requiring information in relation to carbon capture and storage activities falls foul of this requirement, being outside the primary objective of the OGA?

4.15 pm

Lord Howell of Guildford (Con): My Lords, following the remarks of the noble Baroness, Lady Worthington, perhaps I may take the opportunity of this amendment to thank my noble friend the Minister for circulating overnight the impact assessment, which we have all read with interest. It does seem to have a discouragingly large number of "Not availables" in various boxes throughout, which rather puts one off. However, I can see that my noble friend has made a considerable effort and I am grateful to him.

The impact assessment states that last January the Oil and Gas Authority began to undertake an urgent piece of work involving industry to come up with practical measures to mitigate the immediate risks that the downturn in oil and gas prices present. That is a high ambition, but we open the papers each morning and read of thousands of redundancies, talk of fields closing down and a real sense of crisis beginning to envelope the industry, as the oil price for Brent crude remains resolutely down at around $50 and much lower for West Texas Intermediate. Can we be assured that as we go through this stage and the Report stage that we have a little more meat on the description of what these practical measures are and how, as the sense of crisis develops, it is going to be mitigated by the work and the powers we are assigning to the Oil and Gas Authority? I think that a new sense of urgency is coming to the debate which may not have been the case in January or when the new authority was set up, but we now need to incorporate that as we handle the legislation that is necessary to send the authority on its way.

Baroness Maddock (LD): My Lords, I am delighted to hear that some noble Lords have received the impact assessment, but I wonder if the Minister can tell me how it was distributed, because it has not come my way yet.

The Parliamentary Under-Secretary of State, Department of Energy and Climate Change and Wales Office (Lord Bourne of Aberystwyth) (Con): My Lords, perhaps I may deal with the last point first. I certainly gave instructions that the impact assessment should be sent out in hard copy form and by email. I take the inference from what the noble Baroness says that she has not received a copy in one of those two ways. She should have done so, and I can only apologise for that. I hope that no one else is in that position.

I shall now deal with the issue of impact assessments. I apologised on Monday for the fact that the impact assessment had not been circulated earlier. It was held up through processes in government—documents are cleared by a particular Minister, but that is not the end of the process, as I am sure the noble Baroness is aware. I can only confirm that it is the case that the assessment was not cleared until Monday. I think I indicated then that that was when it was cleared, and it was only then that we were in a position to notify noble Lords. I hope that I can offer some reassurance because all morning I have been chasing the remaining impact assessments, and indeed a note was passed to me just as the debate opened that they have now been cleared and will be circulated, it is hoped, by the end of the day. However, I will add a word of caution by saying that we will ensure that they are sent around by tomorrow. Once again, I apologise.

I will focus on the general points made by the noble Baroness, Lady Worthington, in relation to carbon capture and storage. I thought, as she did, that on Monday we made considerable progress on this issue. There is a shared feeling across the parties that these issues are important and on Monday I gave an undertaking that we would be looking at them between Committee and Report. Letters are going out today to noble Lords who spoke on Monday, as well as to the noble Lord, Lord Judd, who indicated that he could not be here. I have asked that he should be sent a letter. Moreover, anyone who speaks today but who did not speak on Monday will also receive a letter asking about their availability between now and when the House returns on 12 October so that we are able to call a meeting, or potentially a series of meetings. We will ask everyone to the same meetings so that we can thrash these issues out.

My own feeling is that we want to do something; I have not changed my view and I hope that noble Lords will accept my good will on this matter. I am keen that we should move forward, but I do not think that this is the stage at which to talk about exactly how that is going to happen because it is not something that can easily be done. Carbon capture and storage is important to the Government. We committed a significant sum of money to it in our manifesto and that remains very

[Lord Bourne of Aberystwyth]
much government policy. We have a good story to tell in that as a country we have the important potential of the North Sea for carbon capture and storage, so I am keen that it should be incorporated in the Bill in a way that it is not at the moment.

My next point will, I hope, address points quite rightly made by my noble friend Lord Howell, and I thank him for his thanks in relation to the impact assessment. Work has started but, in relation to the focus of the Oil and Gas Authority, it is important that we do not load too much work on the authority and diffuse what it seeks to do. There is a balancing act: we are very keen to ensure maximising economic recovery from the North Sea at the same time as realising the great potential that we have from carbon capture and storage. They remain very much our objectives.

I turn to the more technical points, quite validly raised by the noble Lord, Lord Teverson, and the noble Baroness, Lady Liddell, as to what this clause does and what these amendments seek to do to the clauses in the Bill. Although I am a lawyer, that does not mean that I perhaps have any greater insight. Therefore, I tread with trepidation and have spent some time on this. I believe these provisions seek to ensure that, on an assignment of ownership or rights by a party, there is no delay in them being able to take up the rights that were previously enjoyed by the transferor, if I can put it that way. We will have a look at that and I will write to noble Lords on this issue to ensure that it is not any more complicated than that and that it does not prejudice the issues that the noble Baroness, Lady Liddell, and the noble Lord, Lord Teverson, raised. That is certainly not the intention and I do not believe that it creates difficulties in the way that they indicated might be the case. But I will certainly confirm that.

I hope that that answers the points raised by noble Lords and therefore ask noble Lords to support these amendments.

Amendment 33 agreed.

Amendment 34

Moved by ***Lord Bourne of Aberystwyth***

34: After Clause 56, insert the following new Clause—

"Applications to use infrastructure: changes of applicant and owner

(1) The Energy Act 2011 is amended as follows.

(2) In section 82(13) (contents of notice securing rights to use infrastructure), omit paragraph (b).

(3) In section 87(6) (circumstances in which information may be disclosed)—

(a) omit the "or" at the end of paragraph (a), and

(b) after paragraph (b) insert "or

(c) the disclosure is made under section 89A or 89B."

(4) After section 89 insert—

"89A Assignments and assignations of applications

(1) This section applies where—

(a) there is an assignment or assignation of an application made under section 82 from one person ("A") to another ("B"), and

(b) the following are notified of the assignment or assignation—

(i) the owner of the pipeline or facility that is the subject of the application, and

(ii) the OGA.

(2) A notice under subsection (1)(b) must—

(a) be in writing, and

(b) specify the date of the assignment or assignation.

(3) For the purposes of this Chapter, anything done (or treated as done) by or in relation to A in connection with the application is treated after the assignment or assignation as having been done by or in relation to B.

This subsection is subject to subsections (4) and (5) and does not apply for the purposes of subsections (6) and (7).

(4) Any provision of this Chapter that requires the OGA to give the applicant an opportunity to be heard has effect after the assignment or assignation as requiring the OGA to give B an opportunity to be heard (whether or not the applicant was heard under that provision before the assignment or assignation).

(5) Subsection (3) does not apply in relation to any notice given under section 87 before the assignment or assignation (and, accordingly, the person to whom the notice was given remains under an obligation to comply with it).

(6) Any information relating to the application obtained by the OGA before the assignment or assignation from any person who at the time was the applicant may be disclosed to B.

(7) Before disclosing any such information to B, the OGA must remove any information which the OGA considers may prejudice the commercial interests of the person from whom the information was obtained.

89B Transfers of ownership

(1) This section applies where the ownership of a pipeline or facility that is the subject of an application under section 82, or to which a notice under subsection (11) of that section relates, is transferred from one person ("C") to another ("D").

(2) For the purposes of this Chapter—

(a) anything done (or treated as done) by or in relation to C in connection with C's ownership of the pipeline or facility is treated after the transfer as having been done by or in relation to D, and

(b) any obligations imposed or rights conferred (or treated as imposed or conferred) by or under this Chapter on C in connection with C's ownership of the pipeline or facility are treated after the transfer as imposed or conferred on D.

This subsection is subject to subsections (3) and (4) and does not apply for the purposes of subsections (5) and (6).

(3) Any provision of this Chapter that requires the OGA to give the owner of the pipeline or facility an opportunity to be heard has effect after the transfer as requiring the OGA to give D an opportunity to be heard (whether or not the owner was heard under that provision before the transfer).

(4) Subsection (2) does not affect the obligation to comply with any notice given under section 87 before the transfer (and, accordingly, the person to whom the notice was given remains under an obligation to comply with it).

(5) Any information relating to the application obtained by the OGA before the transfer from any person who at the time was the owner may be disclosed to D.

(6) Before disclosing any such information to D, the OGA must remove any information which the OGA considers may prejudice the commercial interests of the person from whom the information was obtained.""

Amendment 34 agreed.

Clauses 57 and 58 agreed.

Amendment 34A

Moved by ***Lord Oxburgh***

34A: After Clause 58, insert the following new Clause—

"Carbon capture and storage

Within one year of the coming into force of this Act, the Government shall undertake a consultation on measures requiring extractors and importers of petroleum to contribute to the development of carbon capture and storage."

Lord Oxburgh (CB): My Lords, Amendment 34A seeks to impose certain open discussion on the possibility of imposing on importers or extractors of fossil fuels certain obligations with respect to managing the emissions associated with them. To backtrack for a moment, we are building up towards the Conference of the Parties in Paris later this year. One cannot avoid the feeling that there is something in the air, including President Obama's initiatives on climate change in the United States, the new undertakings offered by China and the letter from half a dozen major oil companies to the United Nations urging for a high carbon price in order to manage global emissions. There is a general recognition that, unless something changes, business as usual will mean an inexorable march towards a 4-degree world. I do not think that anyone really wants that.

There is no single silver bullet to avoiding this but, having said that, I do not think that there is any credible solution to the problem of global emissions that does not involve carbon capture and storage. The Minister has already made reference to that. Despite the Government having made a continuing and substantial effort, one of the difficulties with CCS is that progress has been glacially slow. The discussion about carbon capture and storage has now been going on for more than 10 years. Perhaps I may remind the House that that was the time from the beginning of the space race to putting a man on the moon. What we are talking about is not space technology, but something much more readily tractable. It is a matter of getting the will and the institutions to get something done in time.

There are various reasons why we have not made progress. It was expected that the Emissions Trading Scheme would be successful, but it has failed to achieve a sufficiently high carbon price to promote carbon capture and storage and to drive substantial change. One of the problems is that many parties—I do not mean in the political sense, but the many interest groups and stakeholders—support carbon capture and storage but none can make the business case for urgent action or commit substantial resources, whether they be coal companies, oil and gas companies, electricity generating companies or cement companies. All have an interest in carbon capture and storage, but it is not the specific responsibility of any of them. In that sense, CCS is an orphan technology. It has numerous well-meaning aunts and uncles, but no parents who will really acknowledge it. Therefore, there is no one to take driving and fundamental responsibility for pushing it forward.

The amendment provides an opportunity to discuss a proposal that has its origins primarily in the universities of Edinburgh and Oxford, but which has support from a number of others. For those who might want to look at this proposal, which I have to say is immature in a number of ways, it can be found on the website of Scottish Carbon Capture and Storage in its third working paper for 2015. I am told that that reference is now in place. The amendment, which I will describe in a minute, would provide carbon capture and storage with very clear parents with a very strong interest in ensuring that the offspring thrived. Basically, what is proposed is a regulatory requirement,

"on producers and importers of fossil fuels to sequester, or pay for the sequestration of, a small but rising fraction of the carbon content of the fossil fuels they extract or import into the United Kingdom".

This would be a major change in the way that CCS activity is supported. It would involve no call on the public purse. The call would be on the purses of the importers or extractors. Carbon capture and storage would be driven by what is exclusively a market mechanism. That is how the attention of these major corporations would be very securely obtained. They would find a way to do this as efficiently as possible.

This mechanism is relatively easy to implement. It would attack a number of problems that are currently major stalling blocks for carbon capture and storage. One of the big problems is how you get the infrastructure in place in the North Sea: who will take responsibility for it? If CO_2 is captured on land, who will pay for a pipeline or for the storage? It would be absolutely clear who had to do this if this way of supporting CCS was introduced. We would find that the major corporations that operate in the North Sea would simply continue the kinds of co-operation that they have at present to make joint use and maintenance of pipelines et cetera where that is appropriate.

As this kind of mechanism is phased in, the other carbon levies, of which there are several, could be phased out. Nothing desperately urgent is proposed but these things could be merged. Costs are obviously important. The estimate of the groups in Edinburgh and Oxford is that if a mechanism like this were introduced gradually, at the very first stage there would be, for example, some tiny fraction of a penny increase on the cost of petrol. Rising over 10 years as the fraction of emissions for which the companies were responsible increased, it could go up to 2p, but it is not big and could be introduced gradually. The big point to bear in mind is that we could do carbon capture and storage for all our CO_2, even on the more extravagant estimates, for a tiny fraction of the change in value which we have seen in the oil and gas markets. We are talking about something very small here by comparison with the fluctuations which we have seen over the last 12 months.

4.30 pm

I hope I have said enough to indicate that there is a germ of an idea here. It still needs fleshing out and all sorts of implications need to be teased out in more detail. On the other hand, there is sufficient here for all stakeholders, including the Treasury, the Government as a whole, the industry and consumers for this to be worth looking at in more detail.

On Monday, the Minister emphasised the government interest in CCS and he has re-emphasised that today. There was reference to getting maximum economic

[LORD OXBURGH]
recovery from the UK shelf and North Sea. It is very hard to claim that one is getting maximum economic recovery if one does not include the use of the shelf for carbon capture and storage because this has the potential to be a much more valuable industry than the residual oil and gas.

Finally, doing this would be a shot in the arm for the industry in northern and north-west England. Jobs would be associated with it. It would allow the oil companies to provide jobs for many of the people they are having to lay off. Furthermore, there would be jobs in construction, particularly in north-west England. In short, I think this issue merits much more detailed scrutiny. We also have to recognise that time is not on our side in two ways: from a climate change point of view; but, even more importantly, in the North Sea, where gas and oil fields are being closed down. Many that are potentially usable for CCS may be sealed permanently and cannot be reopened without considerable expense unless we move very fast indeed. I beg to move.

Baroness Worthington: My Lords, I am grateful to the noble Lord, Lord Oxburgh, for introducing this amendment, to which I was very pleased to add my name. Like the noble Lord, I would like us to take a step back and think about this debate in context. I am grateful to Professor Myles Allen at the Oxford Martin School and Professor Stuart Haszeldine from Edinburgh University, who have provided some very interesting briefing materials on the amendment. Myles, in particular, has a very interesting way of describing the challenge that faces us. To help us comprehend this issue and that of climate change and the problem of the unburnable carbon, to coin a phrase from the Governor of the Bank of England, Mark Carney, let us imagine seven lumps of coal, each representing half a trillion tonnes of available fossilised carbon. That represents what we know to be the available fossil fuel reserve: 3 trillion to 4 trillion tonnes of usable carbon. It might actually be much higher than that. Our seven lumps of coal might be closer to 14 if we include unconventional sources such as shale gas, tight gas and tar sands. So we have an awful lot of stored carbon on this planet.

Over the past 250 years we have burned and dumped into the atmosphere one lump; that is, half a trillion tonnes of carbon. As a result, temperatures have now risen on average by 0.9 degrees globally; there is a time lag so that figure may go up. We should remember that 0.9 degrees globally means very different temperatures at the poles. There might be double the warming—closer to 2 degrees—happening in the polar regions, where of course there are large amounts of ice, in both the Greenland ice sheet and the Arctic itself. I know that the noble Viscount, Lord Ridley, will speak shortly but this is reasonably uncontested science. This is simply the physics of the additional loading into the atmosphere.

At the rate we are currently burning fossil fuels, it will take us just another 30 years to burn the next lump—the second of our seven lumps of available carbon—which will likely exhaust our safe carbon budget. We can have a debate about "safe" and about the scale but, by and large, in about 30 years' time we will have emitted as much again as we have since the Industrial Revolution. The third lump will almost incontestably take us over the 2-degree limit. Two degrees is the supposed safe threshold—again, this number will probably be revisited time and again but it seems likely that beyond that point we will be into the realms of an unsafe climate. The next lump takes us to 3 degrees, and so on.

Now, if we have 14 of these lumps and we are burning through them at the rate that we are, the obvious conclusion is that we are going to have to come up with some mechanism for either leaving some of this carbon untouched or burying the associated greenhouse gases back underground, if we want to use these resources. So far most of the debate has been about trying to burn that second lump of coal a little bit more slowly and nobody is facing up properly to the scale of the challenge of what we do with our carbon assets and how we transition into a new future.

I think there is something in the air—sorry to be a little bit cheeky but there are also 400 parts per million of carbon dioxide in the air—and there is a mood shift. It probably is precipitated by the Paris talks. International negotiations provide a useful chance for us as a global community to take stock and assess what we are really doing to address this problem. I hope that Paris will be a success but it is evident that that is just a staging post and the hard work will start afterwards, when we sit down and consider the implications of what we are setting out to try to do in terms of decarbonising our energy systems.

Obviously, we should pay tribute to the companies and individuals and, indeed, all the previous Energy Ministers who have helped us to lift ourselves out of poverty and have a higher standard of living using our hydrocarbon resources, but the game is changing and in the future we are going to have to recognise the risk of climate change and take action to mitigate it. For our generation and for future generations, this is something that we simply have to do.

So, in the run-up to Paris, here we are with an Energy Bill that seeks, on the surface of it, to extract more hydrocarbons from the North Sea—and, as a side issue, to not have any more onshore wind. That does not seem completely in tune with the general sense outside these Chambers, government and Whitehall that we need to take climate change seriously. What we are trying to do in these Committee sessions is to make sure that this Bill is fit for purpose in terms of the challenge it is trying to address and is making good use of our parliamentary resources.

I happen to think that the idea that has been circulated and which the noble Lord, Lord Oxburgh, is now encouraging us to debate has merit. I am not saying that it should be policy, and there are many unanswered questions that relate to it, but it has some very interesting features. We should first acknowledge that although we have carbon budgets in the UK that cover our whole economy, in reality there is nothing in policy measures that prices carbon into the heat and transport sectors. There is a cap on electricity and on emissions coming from heavy industry, some of which is of course from gas. That is taken care of: there is an EU scheme and a UK top-up measure, so we at least have some handle on that. When it comes to the other sectors, which mainly means the distribution of gas

into the heating of buildings and the use of oil as petroleum in transport, we do not have a policy that explicitly addresses the emissions. We have taxation, of course, and we hope that the Treasury is recycling some of that into good things, but by and large it is an uncapped sector in which there are very few measures—I cannot readily think of any—that address the totality of those emissions from those sectors.

I am sure that we could look at this in lots of ways but the idea being circulated in the briefings is elegant. It simply states that upstream, at the very point at which a product is brought out of the ground or imported into the country, we would place an obligation on those importers and extractors so that they then source the least-cost ways of storing a proportion of their emissions underground and addressing the impact of their product. What I like about this is that it would create an obligation that sits in the hands of the private sector. It would also create an obligation on a group of people who have a great interest in seeing carbon capture and storage come to fruition because it lengthens their business plan. It gives them an opportunity to continue what they are doing without imperilling the planet, so they seem the right people to talk to.

We all know that certain companies, including Shell, are pushing ahead. They are seeking contracts for difference from the Government to move ahead with a CCS project. But I am sure they would readily admit that in a world in which their competitors are not doing the same, it is incredibly difficult to do this. If they say that they will take on an extra price burden, they are necessarily dependent on government subsidy to get it going because of the fact that their competitors will not be doing the same. They will come under shareholder pressure saying, "Why are you taking on these extra costs when no one else is?". So we can either carry on in this way, giving out subsidies and negotiating bilaterally with these companies, or we can say, "Let's try to do it a different way, creating the right framework to get the right players involved". They bring unrivalled engineering expertise and excellence with their knowledge of the North Sea. If we genuinely think that the North Sea offers a new economic opportunity for the UK—and I think that is the case, not just for our emissions but for Europe's—then let us harness these giants of engineering and get them to apply their minds to this task.

As the noble Lord, Lord Oxburgh, mentioned, there would of course be a modest price passed through but if we start at a low percentage of emissions then it would be almost unnoticeable—certainly much less than the fuel duty we currently charge. I think we would find that the cost of carbon capture and storage that was uncovered would be far and away lower than we can imagine. I know from my time in the Civil Service that we would imagine what costs were going to be, but then be completely startled when industry went off and did the things we asked it to do. It came in at much lower cost. One of the best examples of that is the carbon market set up under Kyoto, where at the time of negotiation the belief was that chemical companies which produced HFC gases would have to be buyers of permits. It turned out that as soon as someone did the maths, they were completely capable of reducing their emissions at very low cost and bringing forward huge amounts of certificates to the market, which then crashed the price. They were sellers at such a volume that they managed to make the price almost negligible, so apply market forces to these problems and you will see costs coming in lower than civil servants and we are able to imagine at the moment. That is hugely important because affordability of decarbonisation is a massive challenge. We must keep our focus on that. We will not have a licence to carry on if we keep having high costs when we do not need them to be so high.

As your Lordships can tell, I am quite in favour of this provision because it has a market element but I do not want to trivialise the role of the Government at the moment in helping to stimulate the demonstration projects. I wish nothing that I have said today to make investors feel nervous that we are somehow not going to back the demonstration projects at White Rose, Peterhead and Grangemouth. They are very important projects—the first of a kind—and we want to see them succeed. I think it is fair to say that there may well need to be more state involvement in making the infrastructure work and so that it is done at the right scale for those demonstration projects. However, if we look a little further forward beyond those demonstration projects, we know that we need to get into a world where these technologies are, as far as we can make them, standing on their own two feet and competing with each other to keep costs low.

4.45 pm

CCS is a group of technologies, and there are a whole host of different ways of capturing and storing carbon. One way is to put it into the North Sea; another way that I was very interested to learn a bit about in recent months is the mineralisation of CO_2 into building aggregate. I know that is something that the noble Lord, Lord Oxburgh, has looked at in the past and been a great advocate of. There is more than one way of taking those waste gases and making them safe: give them to the oil and gas industry, or to somebody in the private sector, and I am sure noble Lords will be surprised at some of the things that they come up with. That will be all to the good if we can expand that marginal abatement cost curve of CCS and find the really successful, low-cost options.

I do not wish to detain the Committee any further, but when it comes to this bigger question of tackling climate change and assessing what we are trying to do, we need to have a thorough debate about this. This amendment is a probing one, aimed at encouraging the Government to think about what has been said today and to acknowledge that they will look at it. In the run-up to Paris, this Energy Bill gives us an excellent platform to think about positive things. I was, I think, a little critical of the Minister at the start of my comments today, but I hope that we will continue in a very constructive way through the remaining parts of the Bill. This amendment tabled by the noble Lord, Lord Oxburgh, has very great merits and I look forward to hearing from noble Lords on other Benches and from the Minister.

Lord Howell of Guildford: My Lords, I take it that the noble Lord, Lord Oxburgh, is referring to the very interesting paper put forward by Professor Stuart

[Lord Howell of Guildford]
Haszeldine and his colleagues about the financing and development of CCS. The noble Lord, Lord Oxburgh, is himself always at the forefront of new thinking and developments in this important area, and this is certainly a very interesting set of thoughts. Basically, the idea in the paper, as I understand it, is to spread the costs of further CCS development away from falling exclusively on the already burdened consumer and also to spread them through time. The argument is that, as we get to the end of the 2020s and into the 2030s, the real crunch and crisis over CO_2 will come and that the burning of coal particularly is going to become absolutely decisive in shaping future influence on climate change.

Furthermore, the noble Lord, Lord Oxburgh, is absolutely right about the centrality that he gives to the whole carbon capture and storage task. When one considers that 2,117 new coal plants are now being planned or built around the world, one begins to realise the enormity of the task to somehow ensure either that they are diverted or that the coal plants operate in ways that reduce carbon emissions. Carbon capture and storage clearly is the most satisfactory technical answer to that, although there are problems of cost, but there are of course much cleaner ways of burning coal, which both the Chinese and the Poles are urging, using very advanced technology built on the conventional platform but also supercritical boilers and other devices to ensure that much more energy emerges from a tonne of coal. That way, by definition, you get more energy or electricity out of a coal-fired station but save on the amount of emissions that would otherwise result. So there are other techniques as well, which are obviously decisive.

Most coal stations will be built in India, Indonesia and Turkey—mostly in Asia, although some in Europe. The whole attempt effectively to keep global warming to a 2 degrees centigrade rise will stand or fall on what happens to that vast number of new coal stations and the huge commitment to increased coal burn. It is the official policy of the Government of India that there must be a doubling of coal production and a very substantial increase in coal burning there, because the primary aim is the reduction of poverty and economic development. Unfortunately, given the economics of the present and near future, coal is much the cheapest way to produce the essential cheap power that developing nations of that size and with those challenges must have.

This is the problem. The noble Lord, Lord Oxburgh, and the noble Baroness, Lady Worthington, are absolutely right to call our attention to this, but the question left in my mind is how relevant it is to the extraction of oil and gas in the North Sea. If we are to carry forward experiments effectively, we need to develop the storage techniques that go hand-in-hand with carbon capture and storage. That is very important and there is a lot of work to be done on that.

I will strike a slightly diversionary note from what has been said in the debate so far. The aim here is maximum economic recovery. The aim is to cope with an industry which is shrinking very rapidly. On the front page of the *Times* this morning I read that 65,000 jobs are about to go in the industry. The industry is under very great pressure. As I understand it, our aim in the Bill and that of the OGA is to ensure that gas and oil are extracted economically, commercially and successfully in these shrinking conditions. We know that gas is considerably lower carbon when burnt than coal, so if we are trying to sequester our coal carbon emissions or move from coal to gas, it is more gas we want, not less. Everything needs to be done—as I understand the OGA is trying to do—to encourage the extraction at economic prices of gas from the North Sea that can then be burnt, thereby saving considerable carbon emissions. We need to copy the American example, where there has been a huge reduction in carbon emissions—at least on the production side; consumption is another story, of course—because they have switched from coal to gas as a result not of government policy but of the shale revolution.

I leave a question mark over the amendment as to whether it really applies as directly as some have suggested to the North Sea offshore operations. It is clearly vital that something is done to halt the massive increase in coal burn lying ahead. I think that 46% of the entire world's electricity comes from coal, and that is probably rising, not falling. That is decisive, but whether at this stage the additional obligations in the Bill should be placed on this particular industry, which is struggling in desperately difficult conditions in both a geographic and an economic and commercial sense, I am not so sure. I end my comments with this question, although it may be that this is not quite the right place to think about this vital issue.

Lord Teverson: My Lords, I am a great disappointment to the noble Lord, Lord Oxburgh, because over the years, I have become a CCS sceptic in all sorts of ways. The reason for that is not because it is not necessary or a good way to move forward the decarbonisation agenda but because, exactly as he himself said—I have been talking about this for the nine years that I have been privileged to be a Member of this House—we have got a very short distance in terms of making it happen. Obviously there has been important progress, with projects in the formative pipeline at the moment, but one reason for that is that CCS is large scale, demonstration projects are very expensive and it stands aside from the fossil fuel-based industry that it is trying to help. The two are not directly tied up.

What I like about the amendment, and why I have put my name to it, is that it tries to find a number of ways through that puzzle. First, it says that CCS is important, and is a future technology. I really welcome the Government's positive messages about this. From where I stand, the decarbonisation agenda seems to be rather on the back foot and going in the wrong direction, but in this important area I really welcome the Government's positive mood music. But there are a couple of other things. One was referred to strongly and effectively by the noble Baroness, Lady Worthington. If there is greater stakeholdership of CCS by the fossil fuel industry, there is likely to be more push for there to be a real effect and for something to happen. It is also an ongoing basis on which this technology can be funded, rather than on the erratic one-off mega-subsidies and funding systems that we have at the moment.

For those reasons, this is a really positive suggestion and a way in which we can start to move forward. It is also in line with the philosophy, with which we all

agree, that the polluter pays—or it is in that ballpark, if not absolutely perfectly. For that reason, I was very pleased to put my name to the amendment, as it helps to bring that forward. But as other noble Lords have said, clearly this is the start of an idea. That is why it is absolutely right that the amendment talks about a consultation process, rather than saying that it should happen. So I very much welcome this amendment and welcome the Government's positive view towards CCS, and I hope that this can be seen as a way of moving this agenda forward more practically than we have achieved in the past.

Viscount Ridley (Con): My Lords, I apologise for not being here on Monday to take part in the debates then, and I hope that the House will indulge me in speaking today. I declare my interests in surface coal-mining in the north of England. None the less, and to their astonishment and probably horror, I would like to support the amendment in the names of the noble Lord, Lord Oxburgh, the noble Baroness, Lady Worthington, and the noble Lord, Lord Teverson. It has enormous merits and is a good suggestion, although they should not worry because I will disagree with them on things towards the end of my remarks.

I welcome the remarks of my noble friend the Minister that he wants to discuss CCS further, and I hope that he might be able to include me in those discussions. I want to suggest as an extra twist—and the noble Lord, Lord Oxburgh, touched on this—that we must link this to some kind of alleviation of the carbon imposts on the industry, which are throttling various British industries at the moment, in particular the carbon floor price. What I like about the suggested amendment is that it avoids the distortion of supporting carbon capture and storage through the contracts for difference, and that it should work at no cost to the taxpayer and makes use of market mechanisms.

I think that we now have to agree that the world needs fossil fuels during this century, if only to give the billion people in the world who have not got access to electricity the chance to have access. We cannot get emissions reduction without using CCS, if we are going to use fossil fuels. We are still searching for a way in which to get emissions down without hitting affordability and security, to solve the trilemma. So far, the two main ways in which we have tried that have not worked. Subsidising renewables has worked very poorly in getting emissions down and has done so at the cost of affordability. So far, wind and solar have managed to take 1.3% of global energy use, after billions of pounds invested in it worldwide, while having a minimal effect on emissions reduction. So the renewables agenda is putting affordability at risk without achieving its goals.

The other tactic that we have tried is simply to put heavier and heavier taxes on fossil fuels, and we can see the effect of that on our electricity supply in this country. Power station after power station is closing. In the Queen's Speech debate on 4 June I suggested rather rashly that there was now a risk that Eggborough would close—and now that has come to pass. Therefore we are genuinely looking at a worrying lack of energy security in this country. The two mechanisms we have tried for cutting emissions have either hit affordability or security, so we are still searching for a way to do decarbonisation cheaply and without hitting energy security. The best way to achieve that would be to build more gas-powered power stations and to encourage the use of gas instead of coal, but that is not possible at the moment in this country, because renewables are making it uneconomic for anybody to build or open a new combined-cycle gas turbine.

5 pm

Is CCS the answer? As the noble Lord, Lord Teverson, has said, it is expensive—we know that; it is a large parasitic load on a power station. We do not yet know for sure that it can work on a large scale, because so far it has really only been tried once in Canada on a significant scale, and it is well behind where we thought it would be by now. If you look up what was being predicted five or 10 years ago there was talk of 20 large CCS plants in operation by 2020. We are not going to be there. However, compared with subsidising offshore wind or rooftop solar, it certainly looks like it will be better value, and it might achieve some decent reductions. In addition, as I say, we will not meet our targets without it. Ten years ago the world relied on fossil fuels for 87% of its primary energy; today it relies on fossil fuels for 87% of its energy. There has been a decline in nuclear and an increase in renewables—they have cancelled each other out.

Therefore, yes—we should find a way to back CCS. The amendment in the name of the noble Lord, Lord Oxburgh, is a sensible idea, because it will avoid the distortions and inefficiencies that will inevitably come from funding CCS through the contracts for difference or another subsidy mechanism. It is quite right that the fossil fuel industry should be incentivised to fund CCS itself. There is clearly an opportunity here in this country specifically, as other noble Lords have mentioned, because of the need to decommission the North Sea. The noble Lord, Lord Oxburgh, is right that that is an urgent opportunity that we need either to grasp or lose.

I therefore urge the Minister to consider linking this to the carbon floor price. The noble Lord, Lord Oxburgh, suggested that the other costs on fossil fuels could come down as that went up. That is probably the way we should think about it, so that we can tell the fossil fuel industry that if it funds CCS, it will not be hit any harder and will see some of those other costs come down. That way there will be a chance of both keeping the lights on and cutting emissions. The Treasury may well object to this, because it likes the carbon floor price as a large money-spinner, I admit, so the Minister will have to fight that battle.

Finally, I add that although we must be careful not to hamstring the fossil fuel industry in this country in relation to its competitors abroad with too much of a CCS requirement, none the less, in the end CCS may be the only way to keep the fossil fuel industry alive. You may think that is a bad thing if you think that fossil fuels are doing harm. However, let us not forget that over the long term fossil fuels have done enormous good for many people and have brought huge benefits to mankind. They have brought light, heat and prosperity, prevented deforestation by replacing wood with coal as a fuel, halted the slaughter of whales by displacing the use of oil, and have banished hunger through gas being used to make fertiliser.

[Viscount Ridley]

Let us not forget that they have also increased the amount of green vegetation on the planet. We can now measure the carbon dioxide fertilisation effect through satellites and the Normalised Difference Vegetation Index, and we can see that we have had roughly an 11% greening over three decades in all ecosystems on this planet. If you translate that into the effect on crops, it is in the trillions. We have increased the value of crops through increasing the CO_2 in the air from 0.03% to 0.04%, and have increased the value of crops by some $3 trillion. Therefore fossil fuels do not have anything to be ashamed of, and have much to be proud of. If CCS is the price we have to pay to keep using them, let us use it. The alternative could be to give us an unaffordable or insecure energy supply.

I had not intended to make any remarks about climate change science, but I am tempted to do so because of a couple of things that have been said. I should like to remind the noble Lord, Lord Oxburgh, that, far from moving towards a 4 degree world, let alone by 2030—as that great expert Emma Thompson said on "Newsnight" the other night—the current trajectory, extrapolating the temperature trends of the last 40 years, is for the 2 degree threshold to be reached only in the 22nd century. The 5th annual report of the Inter -governmental Panel on Climate Change confirmed that temperatures are rising more slowly than almost all the models predicted—114 of the 117 model runs overpredicted warming—and stated at figure 1 that, from 2016, it expects 0.1 to 0.23 degrees of warming by 2036. That is at least 3.8 degrees less than Emma Thompson said.

So we do have some time to get this right, and I remind the noble Baroness, Lady Worthington—

Baroness Worthington: I apologise if I have risen too soon; I look forward to hearing what the noble Viscount is about to say. It is true, is it not, that there is a time lag between our emissions and changes in temperature? We are therefore likely to have a 30 to 40-year period in which we know we have committed ourselves to higher temperatures, and yet we are waiting for the impact. That surely means that we should be concerned sooner, rather than later. Secondly, does the noble Viscount not acknowledge that a global average temperature rise of 1 degree would be double that in the Arctic? A 2 degree global rise would therefore be 4 degrees in the Arctic, which could have a significant impact on the melt, leading to sea level rise.

Viscount Ridley: On the first point about the lag, yes, but the whole point is that I am comparing the rate of temperature increase with the rate predicted by the IPCC, which knew about the lag and built it into its models. Essentially, the noble Baroness is talking about the difference between equilibrium climate sensitivity, which is reached after many centuries, and transient climate response, which is what you immediately get. Yes, there is a big difference there, but the climate sensitivity figures—I was coming on to this—are based on 14 new studies, one of which Myles Allen co-authored.

Lord Winston (Lab): Forgive me, but is not this discussion a little irrelevant to the amendment? What we are trying to do in this Bill is to create a plan, and in considering this amendment that is what we should be focusing on, rather than the arguments about climate change.

Viscount Ridley: I do not disagree—I was simply picking up on a couple of points made by the noble Baroness, Lady Worthington, and the noble Lord, Lord Oxburgh. I will wrap up my remarks very soon, but let me point out that the only scenario that the IPCC considered in its models that gets us to 4 degrees by 2100 is RCP 8.5, which assumes that the world will be burning 10 times as much coal in 2100 as we are today. That is not very realistic, and it also assumes that by then, we will be getting our motor fuel from coal. Nobody thinks that is going to happen, so one has to be careful about which of the IPCC scenarios one looks at. That one is not very plausible.

Anyway, I think we agree that this is an excellent amendment, and I will leave it at that.

Baroness Maddock: I was going to congratulate the noble Lord, Lord Oxburgh, on introducing an amendment that has actually brought together both sides of the climate change argument. Unfortunately, that was rather spoilt by the latest comment of the noble Viscount, Lord Ridley. We were spared that on Monday, when we debated carbon capture and storage. However, I do hope that the Minister will take this proposal and this amendment seriously.

The final point I want to make, which I made on Monday, is that I am concerned that, in our rush to make sure that we keep the oil and gas industry as profitable as it can be in the circumstances, we do not put anything in the Bill that will prevent us developing carbon capture and storage. We have heard how slow and difficult progress has been, so I welcome these proposals, which we should look at. I hope we can have a good discussion of the issue, but I point out that, other than next week, it is very difficult for me to get together here in London to discuss it before we return in October.

Lord Bourne of Aberystwyth: My Lords, we have been treated to a veritable tour d'horizon on this amendment, going far beyond the amendment itself. I certainly do not criticise that; I think that in a sense it is important, and it has been a very good debate. I shall try to pick up the points that were made.

To echo what the noble Baroness, Lady Maddock, has just said, there is an attraction in getting everybody on the same side, including my noble friend Lord Deben, who is not in his place today—he is just in his place; I am sorry. Getting everybody on the same side of the argument as my noble friend Lord Ridley in relation to CCS is indeed seductive, if for no other reason than that this matter certainly demands close attention, although it demands close attention for many other reasons.

The noble Lord, Lord Oxburgh, introduced his amendment with great authority. He spoke widely about something being in the air and the challenges that we are facing as a global community, as well as the Conference of the Parties that is taking place in Paris at the end of this year. I associate myself entirely with what he says about the challenge there and the

fact that there are positive moves and ambition in the air. However, I would not want anybody to think that this is a done deal. There is a lot of hard work going on. Our own Secretary of State, my right honourable friend Amber Rudd, is spending most of her time on this, working around the clock. She has been given a major role on finance by the French President to try to bring countries together. That, again, is a good thing for us as a country and for all concerned, as she is the right person to do that. It is important to try to keep the 2 degrees centigrade increase in sight, and that is a real challenge. However, it is right that there is ambition in the air and many positive things are happening.

The noble Lord, Lord Oxburgh, was right when he said that this is a germ of an idea, and the noble Lord, Lord Teverson, said that it was the start of an idea. I agree with that. This is very much a nascent amendment and it certainly deserves attention in the broader context of looking at carbon capture and storage, which, I repeat, we are very happy to do within the context of this Bill.

The noble Baroness, Lady Worthington, spoke with great passion—and understandably so—about the narrow focus of this legislation. It is narrow in many ways but I understand that we have the support of the Opposition in ensuring that the Wood review becomes law. That is important. I am very aware that we do not want to lose sight of the central focus, which I think my noble friend Lord Howell referred to with words of caution. The jobs are important, as is gas, in our move to a carbon-free environment. Maximising the economic return in getting gas and oil from the North Sea is vital and we do not want to lose sight of that.

That said, we are very keen to ensure that CCS features centrally within the legislation. The Government have in place one of the most comprehensive programmes in the world on CCS, as recognised recently by the Global Carbon Capture and Storage Institute. This includes a carbon capture and storage competition, with up to £1 billion capital, plus operational support for up to two commercial-scale carbon capture support projects and a £125 million research, development and innovation programme. That said, my noble friend Lord Ridley is absolutely right that it is only Canada that we can look to as somewhere where this is working commercially. DECC officials have spent a lot of time looking at that. They have visited Canada on many occasions and will continue to do so.

I am keen that CCS remains very central to what we are thinking about. I repeat the undertaking that all Peers are invited to join in this process, and all Peers who have spoken will receive a letter inviting them to indicate their availability. If it is difficult to get one meeting because of lack of availability then we will put on two, but we will not be splitting them on a party basis, because I think that there is a genuine cross-party feel on this issue. I do not think that there is any real difference between people on this, which is a very good thing.

I am very keen that we should move forward in relation to this carbon capture and storage issue. I appreciate the debate that we have just had. It has been very helpful, although, as I said, it was much more wide-ranging than the amendment. However, I respectfully ask the noble Lord to withdraw the amendment on the basis that the Government have given an undertaking to look at carbon capture and storage in relation to the Oil and Gas Authority and to do so between Committee and Report.

5.15 pm

Lord Oxburgh: My Lords, I thank all noble Lords who have participated in our lively and interesting set of exchanges, which are too numerous to answer all in detail. However, the noble Lord, Lord Howell, asked about the implications for the North Sea. I probably did not make my submission too clearly, but one of the reasons that CCS is creeping along glacially is that no one can make a business case and there is no investor confidence. A regulation of this kind would plan a clear way forward for industry and CCS would become much more investable for the private sector—and there would be much less dependence on government.

The noble Lord, Lord Teverson, commented on the large scale and expensive nature of CCS. We do not really know what it costs. We know what the operation in Canada has cost, and it is a lot of money. However, there is a hockey stick curve for all these things; they are expensive at first but prices come down. All new technologies and new ways in which to capture carbon would be explored and invigorated with a clear drive from government, and there would be responsibility on companies to find a cheap way of doing this.

The noble Viscount, Lord Ridley, made a number of points, including on the carbon floor price. I am indeed worried about the delay. He commented on the overseas implications. I agree that among the things that we would have to tease out would be the implications for the UK of doing this by itself. What would be the implications for our position more widely? Might we be able to persuade other EU countries to come in on this? For a lot of people, this kind of approach is a no-brainer; it is the obvious, "polluter pays" way forward. I say to the noble Viscount that I never believe the figures on climate projections. He will have noted that, although I mentioned 4 degrees, I did not say when. What is beyond doubt is the direction of change, and cutting down our emissions and putting them out of the way as quickly as possible is a sensible precaution to take.

I thank the Minister for his words.

Baroness Worthington: I should like to respond to one question about how this matter relates to the Bill and the North Sea. I want to offer this fact to Members of the Committee: over its time, the North Sea has produced 42 billion barrels of oil. It has been of great benefit to us as a country; however, those barrels have contributed 18 billion tonnes of CO_2 to the atmosphere. There is a definite link to not only the North Sea's inevitable economic benefits for us but the environmental consequences of that. I should also say, for information, that buying CO_2 commercially as a feedstock at the moment costs £100. We must be able to sort something out whereby the producers of CO_2 and those who buy it at £100 can be brought closer together, so we can begin to see the development of an industry in getting CO_2 safely out of the atmosphere.

Lord Oxburgh: I thank the noble Baroness for her intervention and remind myself that I should have thanked her for her support of the amendment. There are few people in the House, if anyone, whose knowledge of the industry is as deep and authoritative as hers. I beg leave to withdraw the amendment.

Amendment 34A withdrawn.

Lord Wallace of Tankerness (LD): My Lords, when we return on Monday for the third day of Committee, we know that we will be dealing with some of the more controversial parts of the Bill, not least on Clause 60. The Government have announced that a grace period will be incorporated into the legislation, and have been seeking views on the draft proposals. Can the Minister indicate to the Committee that, before the next Motion that the House do resolve itself into a Committee upon the Bill, we will have an opportunity to see the amendments? They are important, of course, not only to the industry but to your Lordships' House if we are to carry out our proper job of scrutiny.

Lord Bourne of Aberystwyth: I am grateful for prior notice of this question from the noble and learned Lord, Lord Wallace. I can update the Committee on this. I have been chasing the impact assessments over the last period. As things stand, and I think I probably indicated this in passing in the debate on Monday, we are carefully reviewing the feedback and evidence provided during the engagement exercise to ensure that the final policy strikes the right balance between public interest and the interests of developers and the wider industry. I am sure noble Lords appreciate the importance of that. I will aim to bring forward any government amendments in relation to this policy as soon as possible. If I have any more information on the dates when that will happen, I will share it with noble Lords, but I do not think that that will be ahead of the debate on Monday.

House resumed.

Health: Lymphoedema

Question for Short Debate

5.21 pm

Asked by ***Lord Hunt of Kings Heath***

To ask Her Majesty's Government whether they will publish a national strategy for the treatment of lymphoedema in the NHS.

Lord Hunt of Kings Heath (Lab): My Lords, it is a great pleasure to put the case to the House for the development of a national strategy for lymphoedema services. I thank all noble Lords who have put their names down to speak in today's debate and the noble Lord, Lord Prior, for responding on behalf of the Government. I pay tribute to the British Lymphology Society and the Lymphoedema Support Network for the tremendous work they do and the excellent briefings they have given me.

Lymphoedema affects more than 200,000 people. It causes swelling of the limbs or body and an increased risk of infection. Although it is a long-term condition that cannot be cured, its main symptoms can, with appropriate treatment, be controlled and often significantly improved. However, it remains an underestimated health problem and many healthcare professionals know little or nothing about how to treat it appropriately. As a result, it has a significant long-term impact on patients' quality of life and the current disparate and uncoordinated approach costs the NHS more money in the longer term.

Primary lymphoedema usually develops as a result of a genetic fault within the lymphatic system. With underdevelopment or weakness of the lymph vessels, swelling can appear at or around birth or, more often, later in life. It can affect infants, children and men or women of any age and often runs in families.

Secondary lymphoedema develops when the lymphatic system is damaged. This may happen following treatment for cancer—surgery or radiotherapy—but may also occur as a result of infection, severe injury, burns or any other trauma. Research has shown that for every cancer-related patient, there are three non-cancer-related patients, but a point I stress to the Minister is that non-cancer-related patients often struggle to get treatment.

Chronic lymphoedema has been shown to have a significant impact on sufferers, affecting the quality of their lives and causing loss of time from work. There is also a significant cost to the health service for the treatment of the most common complication, cellulitis. This is supported by statements which have been sourced from patients living with the condition by the Lymphoedema Support Network, Breast Cancer Care and Dr Todd. They showed that of the patients surveyed, 80% had had to take time off work for treatment, 8% had had to stop working completely because of their lymphoedema, 50% of patients with lymphoedema had experienced recurrent episodes of cellulitis, 27% of the people with cellulitis required hospital admission for intravenous antibiotics—and I understand that the mean hospital in-patient stay for treatment of cellulitis is 12 days—36% had received no treatment for their condition, and 50% of patients suffered from uncontrolled pain. That statistic is symptomatic of a wider problem of a lack of availability of pain relief in the health service. Here, I pay tribute to the work of the Chronic Pain Policy Coalition.

Professor Peter Mortimer, consultant dermatologist at the Royal Marsden and St George's Hospitals, London, and the UK's leading lymphoedema authority, is clear that patients with chronic swelling should all expect to receive, first, an explanation about the most likely cause of their chronic swelling; secondly, prompt referral to a lymphoedema practitioner; thirdly, a treatment programme incorporating the four cornerstones of lymphoedema treatment as appropriate; fourthly, ongoing care according to accepted standards; and, fifthly, the option of additional treatment at intervals as needed. Unfortunately, this is not the experience of most patients and we need to see a step change in approach by the NHS.

Reducing the risk of developing lymphoedema is an essential element of any national strategy. Many groups of potential lymphoedema sufferers can be

identified; for example, breast cancer patients and those with several episodes of skin infection. We know that early intervention is the most effective way of dealing with lymphoedema. Good-quality advice and support can help reduce complexity and assist patients to self-manage. Improved access to the correct information, treatment and self-management support could significantly reduce hospital admissions. The extent of treatment needed should be assessed and managed by a qualified lymphoedema practitioner. Long-term monitoring and treatment are subsequently required, with the emphasis on strategies to control swelling and prevent infection.

It is pretty clear that education of both healthcare professionals and potential patients is required to increase awareness and to ensure an early diagnosis and timely referral if required. But the problem is that lymphoedema is not currently included in most undergraduate nursing and medical curricula. Nor does the United Kingdom have regulated education standards for those working in lymphoedema practices. An education strategy is needed to formalise training and to ensure that practitioners are trained appropriately and continue to update their learning and practice. This is particularly important in relation to non-cancer patients. Cancer patients are likely—not always, but likely—to be picked up within cancer services by practitioners who have some knowledge and understanding of the issues, but there is a particular problem in relation to non-cancer patients.

The National Cancer Action Team was asked in autumn 2012 to put together a case of need to inform the development of a lymphoedema strategy for England. A group of clinical experts and representatives of support groups and voluntary sector organisations were invited on to the lymphoedema reference group to undertake the work. This led to the publication in March 2013 by the National Cancer Action Team of an excellent paper which argued the case for a national strategy. It pointed out that existing service provision is not related to the level of patient need, lacks uniformity in approach and ignores the fact that high-quality lymphoedema services can improve outcomes in all domains of the NHS outcomes framework. It described the service as a Cinderella service struggling for recognition. Services are generally small, 36% of them being delivered by single-handed practitioners. As I have already mentioned, there are no key performance indicators or minimum education standards.

The work done for the National Cancer Action team also said that obtaining an accurate diagnosis is difficult, especially for non-cancer related, late onset and children. It warned that lack of early, accurate diagnosis leads to increased complexity and increased costs, some of which could be avoided. It warned also that increases in cancer and obesity will show a corresponding increase in the incidence and prevalence of lymphoedema.

Following the National Cancer Action Team report, the NHS England board was asked to consider developing a national lymphoedema strategy for England, but this has not happened. The National Cancer Action Team has been disbanded and it is my understanding that no formal response has been received from NHS England. Those people who devoted their time and effort to serve on the reference group for the National Cancer Action Team have not even had the courtesy of a letter from NHS England to say what action will be taken. At the very least, someone in NHS England should apologise for that gross lack of courtesy and tell the members of the reference group what is happening. I hope that the chairman of NHS England will take on that personal responsibility.

Since then, very little progress has been made. I know that the Minister is sympathetic to these kinds of issues, which fall between a number of stools. I hope that he will agree to a sympathetic look at my request to take forward a strategy. At the very least, lymphoedema ought to be on the list of prescribed nationalised services and be commissioned at a national level. If the Minister's response to is to say that it should be left to clinical commissioning groups, it is quite clear that nothing at all will happen. I have said this before: clinical commissioning groups simply do not have the capacity or the wherewithal to deal with a service of this sort. There has to be some kind of national framework or direction.

I hope that the Minister will also agree to look at minimum standards for the training of health professionals and the development of key performance indicators and commissioning guides. If his response is that CCGs will be handed this responsibility, they must have some guidance about what kind of service they should be commissioning.

Finally, will the Minister agree to meet representatives of the British Lymphology Society and the Lymphoedema Support Network, who do so much to raise these issues of concern?

5.31 pm

Lord McColl of Dulwich (Con): My Lords, I am grateful to the noble Lord, Lord Hunt, for introducing this debate on the subject of lymphoedema, which arises when the lymphatics fail to regulate the fluid balance in the tissue spaces. That results in oedema, usually of the arms and legs. For example, normally in the legs there are four or five lymph channels each measuring one millimetre in diameter travelling up the inside of the leg to the lymph nodes in the groin, and from there they go up into the chest where the lymph is discharged into the veins in the chest.

Lymphoedema can be due to underdevelopment of the lymphatics, known as primary lymphoedema, which usually manifests itself in a person's 20s or 30s. But if the lymph channels are completely absent, the symptoms of the condition appear much earlier. That is due to a genetic fault. Secondary lymphoedema is where there is a blockage in or removal or disease of the lymphatics, and is far and away the commoner of the two. The blockage can be due to cancer infiltrating the system or to worms—a condition called filariasis, which is quite common in the Far East. It is transmitted by mosquitoes, but noble Lords can be reassured: one has to be bitten many times by many mosquitoes before one gets the disease. The condition is common in Sri Lanka, but in the old days of the British Empire it was pretty well eliminated by reducing the mosquito population, which also reduced the incidence of malaria.

[Lord McColl of Dulwich]

Lymphoedema occurs when the lymphatics are removed in certain cancer operations such as the old radical mastectomy or operations where the lymph node system is removed or reduced. As I mentioned, primary lymphoedema is due to underdeveloped or—rarely—absent channels. The first symptom is a slight swelling of the front of the foot. But if that is not dealt with, the whole leg can become enormously swollen and the skin grossly thickened—maybe as much as a centimetre in thickness. The legs become huge and very heavy, which makes it difficult for the patient to walk. To reduce the symptoms, an operation was designed by the surgeon Mr Charles, where the skin is resected, all the subcutaneous tissue is removed and then the skin is put back. The cosmetic results are not good, but the procedure does enable the patient to walk. That kind of radical surgery is rarely necessary these days.

As the noble Lord, Lord Hunt, has already emphasised, the important point is to have early diagnosis so that the swelling can readily be reduced by elevation and the use of close-fitting elastic stockings. The treatment has to continue for life and it is important that the patient understands this. The elastic stockings have to be applied before the patient gets out of bed, and this requires a lot of attention to detail. It is also important to avoid infections of the skin because they can make the condition worse by interfering with the underlying lymphatics. Elevation, compression, massage and physiotherapy are extremely important.

It should also be stressed that primary lymphoedema due to the genetic affection of the lymphatics is actually fairly rare. People are critical of doctors if they do not diagnose the condition right away, but it should be pointed out that the initial symptoms of puffiness can be due to a hundred and one different conditions. Primary lymphoedema is not often seen in general practice but, as I say, people are critical if doctors do not spot rare diseases immediately. However, a GP may not see one of these cases in a lifetime.

We have heard a lot of discussion about teaching on this subject in hospitals and medical schools. Of course they teach it. Swelling of the ankles is a very common condition and there are many different reasons for it; they are gone into in some detail. Discussion about a national strategy would be interesting, but what one must really emphasise is that diagnosis has to be made early on. There are computer-assisted ways of helping in diagnosis which alert the doctor as early as possible when someone comes into the surgery with, say, a puffy ankle or front of the foot. Diagnosis can be made early and suitable treatment started right away. Lymphoedema of the arms is usually due to previous cancer surgery and is less common today as radical surgery for cancer of the breast has been replaced by more conservative surgery along with radiotherapy and chemotherapy.

Early diagnosis must be encouraged before the swelling becomes severe, and effective treatment must be initiated in the form of elevation, physiotherapy, compression, exercise and meticulous attention to detail to prevent infection. Also, of course, obesity should be avoided; it is the greatest epidemic affecting this country for 95 years.

5.38 pm

Baroness Smith of Newnham (LD): My Lords, I am most grateful to the noble Lord, Lord Hunt, for raising this issue for debate today. Many people have no idea what lymphoedema is. When I saw that this was to be raised as a Question for Short Debate, over the course of the summer I said to various people, including Members of your Lordships' House, "I am speaking in a debate on lymphoedema". The reaction of most was, "What is that?", and in the case of someone I was speaking to last week, "What a waste of time. Has the House of Lords not got anything better to do than talk about medical things? Surely that is a waste of taxpayers' money". I might have added the last sentence about taxpayers' money, but there was a sense of incredulity that noble Lords would talk about a medical issue. Clearly, we cannot spend all our time talking about specific medical issues, and yet as we have heard, particularly from the noble Lord, Lord McColl, lymphoedema is a lifelong condition that needs greater awareness and earlier diagnosis. Sufferers need to be aware of what needs to be done.

I declare an interest as someone who has secondary lymphoedema. I do not have it from having had cancer but from having had an infection in the foot. Last week, when I told my GP, who has been a doctor for 20 years, that I would be speaking in a debate, he said, "Yours is the first case I have seen of someone with lymphoedema following an infection". That is part of the problem. A cancer sufferer who has their lymph glands removed is immediately told, "There is the potential that you will get lymphoedema. Here are the things you need to look for". That will include massage, compression and so on. It is not so easy to diagnose a person who suffers from secondary lymphoedema as a result of surgery.

In my case, the diagnosis came almost by chance, as I was perhaps a bit too vain. My foot was puffy, although not particularly sore and there was not any infection, but I kept going back to the doctor. Eventually, a GP said, "It has been puffy for a year. We will send you for further diagnosis". I was sent to a lymphoedema clinic in Cambridge. From what I have heard today, Cambridge is clearly a beacon because the clinic has several lymphoedema nurses. They all seem to know what they are doing, whether or not they have been taught to a common framework. The clinic went through the diagnosis and eventually said, "You can go and we will try to find out what the problem is". The answer was that there are no lymph nodes in my foot because somehow they had been killed.

The formal diagnosis is fascinating but not something that most people will have to go through. Obviously, I went online to find out more about lymphoedema and began to realise that it is potentially a hugely dangerous, lifelong condition. It will not immediately kill you, so one may understand to some extent those people who said, "Why is the House of Lords wasting its time talking about this condition?". For most people, it will not be life-threatening but the complications need to be considered carefully. If it is not managed in the way referred to by the noble Lord, Lord McColl, there is a danger of severely thickened limbs and loss of mobility. There is also the danger of cellulitis, the repeated need for antibiotics and a potential need for intravenous antibiotics. Clearly, the NHS does not

want to have to deal with more in-patients with conditions that are preventable, which is an issue. It is almost impossible to prevent lymphoedema in the first place but there are ways to ensure that its aspects associated with further infection can be minimised.

As someone who was diagnosed in my 30s, I particularly would like to make a case for talking about how we raise awareness for younger sufferers. People may say that being in one's 30 is not very young but, relatively, if you are diagnosed in your 30s and told that you should wear a surgical stocking—please do not look but I am not wearing my surgical stocking—it is not something that you really want to do. If we think about people in their teens or their 20s being told that they have to wear a compression garment for something that does not immediately seem to be a very serious condition, their immediate reaction is, "Yeah, yeah, maybe". They will not do it unless someone is able to make clear why it is so important.

There should be greater awareness and information that is not only on cancer sites. When one explores where lymphoedema comes from and what it means, much of the information is on cancer sites, which is also true for the information given to us by the Lords Library. Many pages do not come from general sites but from sites associated with breast cancer. You would not think to look there if you had not had breast cancer. The clinic that I went to in Cambridge is collocated in a hospice. Again, you go along and think, "I have a condition that appears to be relatively minor and I'm going along to a hospice". Again, that was not the best introduction to how to deal with a condition.

The issues that one needs to think about on prevention or ensuring that development does not get worse are ones that most people do not necessarily want to think about on a daily basis. If you have some conditions that you are aware of and you take a tablet every day, that is fine, but to avoid lymphoedema getting worse you need to avoid infection, to ensure that you do not get stung or cut, that you do not do many things that just happen in everyday life. If most people fall over, get a sting or cut themselves, it does not matter: they heal up very quickly. If they have lymphoedema, the potential infection or the sting does not get out of their system. They need to ensure that they minimise the opportunity of that happening. But if you are in your 20s and you want to go off on holiday, you do not want to pack steroid tablets, antihistamines and antibiotics in case you get stung or cut, but those are the sorts of things you need to think about. Something that makes awareness available for young sufferers would be beneficial—that makes GPs think about non-standard sufferers of lymphoedema, not people who have had cancer or cancer surgery.

Would the Minister consider whether manual lymphatic drainage could be part of the strategy? It is an extremely effective way to deal with the symptoms of lymphoedema and to begin to manage the condition. It can go alongside compression. However, it is not always available on the NHS. If you can afford to go to a private practice to have treatment that is fantastic, but ideally it should be available. If there is to be a national strategy, would the Minister consider making manual lymphatic drainage available for those sufferers who would benefit from it?

5.47 pm

Baroness Masham of Ilton (CB): My Lords, I thank the noble Lord, Lord Hunt of Kings Heath, for enabling your Lordships to discuss this very important and sometimes neglected subject. First, I ask the Minister: why are there national strategies in Northern Ireland, Scotland and Wales for lymphoedema, but not in England? Being Scottish, having been born and lived in that country, but having married an Englishman and living in England, I cannot understand why England is neglecting this very complex condition. England is without doubt more complicated, with so many more diverse sections of the community and with far greater numbers than the other three countries put together.

Lymphoedema is a long-term condition defined as tissue swelling due to a failure of lymphatic drainage. The condition can be inherited, though it is frequently caused by cancer treatments and by parasitic infections, as the noble Lord, Lord McColl, said. Though lymphoedema is incurable and progressive, a number of treatments can ameliorate symptoms. Tissue with lymphoedema is at risk of infection.

For many years, my husband had several complicated long-term conditions after a stroke and after developing type 2 diabetes. He developed cellulitis in both legs, which were hard and swollen, and he got agonising cramp at night. Sometimes he had to go into the local hospital when there was infection. As he was a rather tall, large man, the bed was often not long enough, so often when I visited him his legs were not elevated as they should have been. Whoever I had with me, and I, would elevate his legs on pillows. He hated his depression stockings. I think that there are better devices which might have been better for him. It was an uphill struggle and frustrating. I feel so strongly that with these long-term conditions there should be clear guidelines for hospitals, the community staff and the people at home. Correct management and care are so important and help to alleviate the discomfort of the patient.

To this day, I do not know whether my husband's condition had developed into lymphoedema. One of the members of the Spinal Injuries Association, a paraplegic whom I knew well, was a remarkable person and a great campaigner for better facilities for disabled people. Patricia got breast cancer and, after her treatment, developed lymphoedema in her left arm. When she showed it to me, the arm was huge and swollen. There needs to be good aftercare for these patients. It seems to be patchy. Patricia died recently but a short time beforehand she took part in the programme "Countdown" and was unbeaten, having won every time.

I hope that one day a way will be found to beat lymphoedema. I ask the Minister: how much training do doctors, nurses and therapists have in treating lymphoedema? How much research is being undertaken worldwide into this most distressing and confusing affliction? I hope that the Minister will give us the satisfactory answer tonight that England will join the rest of the UK in having a strategy for lymphoedema.

The National Health Service should aim for the best quality of care for all long-term conditions throughout the UK. At the moment, it is patchy across the country.

5.52 pm

Lord Maginnis of Drumglass (Ind UU): My Lords, while I am not going to pretend to have any deep medical understanding of the problems arising from lymphoedema, I have, as a long-term sufferer from diabetes and a cancer survivor, a great deal of gratitude to our health service in Northern Ireland for having made me aware of the dangers. In fact, although it is not every day I can say so, I am rather proud that, for all the things that we tend to get wrong in my part of the United Kingdom, Northern Ireland leads the way in the diagnosis and treatment of what is an incurable but manageable condition.

This debate has a core issue—national equity. Wales and Northern Ireland have already received permanent, recurrent investment, and Scotland is finalising its work plan. Northern Ireland and Wales have utilised the managed clinical network model, building upon existing services and linking all healthcare trusts to enable partnerships and prevent duplication. This efficient model has facilitated both communication and education strategies, all necessary for a successful outcome. Both services are now award winning and have service users inherent in their advisory groups.

Another key component is that of leadership. I am pleased to say that Northern Ireland has an identified leader, who I am delighted to say was awarded an MBE for her services in this discipline. I welcome her here today. The strategy for England must include a leadership plan in recognition of the complexity of the clinical commissioning group areas of responsibility and the many other stakeholders, such as cancer networks and charitable bodies, that are contributors within this discipline. I am aware that some CCGs have been funded by Macmillan to complete council-wide lymphoedema needs assessments. While this is a great step forward and to be applauded, the project's remit is for cancer-related lymphoedema only. We must ensure that new service delivery is equitable to all potential patient groups, both adults and children, and not restrict it to cancer-related lymphoedema, which is currently recognised to be the smaller referring lymphoedema group—probably about 25%. Equity at all levels and leadership need to be core to the strategy for England.

Encouraging figures show that in Northern Ireland in 2013-14, 642 patients were able to be discharged, meaning that they were able to self-manage their condition, freeing up important hospital resources. Only around 8% of those 642 needed to be re-referred in 2015—proof of the effect self-management can have on lymphoedema. But early identification would not have been possible without increased awareness of lymphoedema in Northern Ireland. In 2008 an undergraduate programme was developed and piloted in conjunction with Ulster University, where there are now dedicated modules on lymphoedema. This is complemented by regional study days to provide more in-depth learning for those acting as ward or clinic link staff.

It has been suggested that for every £1 invested in lymphoedema treatments in England, £100 would be saved in reduced admissions. The British Lymphology Society has estimated that the National Health Service could save at least £32 million a year by providing a national service. There is a great need for a national strategy in England and to sustain and increase provision of services in Northern Ireland, to create an equitable service across the whole United Kingdom. I do not want to end on a sour note but in the realisation that increasingly in the UK we are finance-driven before all else—so often moral justification seems to be dismissible—it is surely worth investing in a service that literally would show a profit.

5.59 pm

Baroness Finlay of Llandaff (CB): My Lords, like others who have spoken, I am most grateful to the noble Lord, Lord Hunt of Kings Heath, for introducing this debate so comprehensively. He gave us a very good tutorial in the pathophysiology of lymphoedema. I declare my interests: I am president of the Chartered Society of Physiotherapy and the clinical lead for palliative care in Wales. I will be speaking about our Welsh service because we have a strategy and people can learn from it, just as the noble Lord, Lord Maginnis, outlined the one for Northern Ireland, where the advances have happened because of having a national strategy, just as we do. Unfortunately, as has been said and as personal stories have outlined, there is inequitable access in England because there is no strategy and there are no NICE guidelines.

What has been our experience in Wales? We published a national lymphoedema strategy in 2009 and invested £1 million in 2011 to focus on a clinically effective service that had to be value for money. There are now 9,300 patients with lymphoedema, which works out at 450 new referrals each month to the service. Fifty per cent are cancer-related and in 93% the lymphoedema is secondary to another cause, rather than being primary lymphoedema. Forty-three per cent of the cases are considered complex or severe and there is a direct correlation with age, 86% of the patients being more than 51 years old.

However, the waiting time has gone down since we have had our strategy. In 2011 it was 24 weeks; in 2015 it is 14 weeks, with 95% of patients being seen within 14 weeks. Palliative patients are seen within two weeks and urgent patients within four weeks of referral. Garment dispensing has radically improved. In 2011, 50% of garments were wrongly dispensed; it is now only 5%. The waiting time for garments has reduced from 42 to 10 days. With our surgeons, we have also been able to develop a unique microsurgical technique, which is a real pioneer and has shown a 96% reduction in cellulitis episodes and a 70% reduction in the need for compression garments. I do not think that investment in research would have happened without the rest of the clinical infrastructure being in place. It is estimated that there has been an overall saving, per patient each year, of more than £9,700, while the national contract for purchasing garments is saving £135,000 annually. The cost pre-service was more than £89,500,000 but post-service it has fallen to £41 million, so there is an annual saving of more than £48,500,000 from having a co-ordinated strategy in place.

Let me turn back to England. It is a myth that lymphoedema is so rare. A recent study by Moffatt and Pinnington noted that almost four in 1,000 people have lymphoedema, which is three times the current estimate. This means that somewhere between 72,000

and 227,000 people in England have it, making an average of somewhere around 700 patients per clinical commissioning group. Cancer-related lymphoedema gets the publicity but is only 25% of the workload. Breast cancer, about which most of the public-facing work in educating patients has been done, actually represents 14% of the workload in England.

One of the difficulties is obesity, which has a serious role. I know that when I was setting up the lymphoedema service in the cancer centre, we would get patients referred and, quite often, their bigger problem was obesity. The lymphoedema was very much secondary to it and almost unmanageable until the obesity was tackled. With the predictions of increasing obesity that is a major problem, as 63% of lymphoedema patients have been found to be obese and 21% severely obese. The noble Baroness, Lady Smith of Newnham, who—for those who cannot see her—is very far from obese, outlined that the patients' experience is poor. That is borne out by all the other data. As has been said, 80% of people have had to take time off work. Half have uncontrolled pain of some sort and about a third were told that they have lymphoedema but have not received treatment.

There is a lack of a national contract for compression garments, which means that prices are inappropriately high. As the noble Baroness outlined so clearly, patients with a condition that appears to be relatively minor feel quite guilty when they are referred to a service linked to a hospice but are also quite often really scared that there is something else going on that they have not been told about.

Services are spread across numerous sectors and there is currently no audit surrounding the level of practitioners' training or skills. There are then high knock-on costs from primary care into secondary care. This patchy service has effectively meant that there is discrimination against those with non-cancer lymphoedema, because a lot of services have been set up that are linked to cancer centres. The other problem is that there has been a 2.37% reduction in the lymphoedema workforce from 2010 to 2011. The services that are there are vulnerable as a third of them are run by single-handed practitioners. If that person goes off sick, retires or leaves, there is a tendency for that service to fold.

I suggest that there is a need for a national strategy, which should follow the lymphoedema framework and would: identify those who are at risk and their clear clinical grades; empower people who are at risk of or have lymphoedema to manage their own conditions, which frees them up from dependency on the health service; have integrated community, hospital and hospice services, with high-quality clinical care, particularly for the very early management of cellulitis and erysipelas; provide compression garments—the right ones, properly fitted by people who know what they are doing; and require multiagency health and social care. I would stress that some of the best services around the UK have been led by physiotherapists rather than by clinicians of other sorts. I want to give credit to them, because they really have been pioneers.

As for education, since the *BMJ* produced a learning module, more than 2,000 doctors have completed it. They have sought this out and recognised that they need to learn about it. The noble Baroness, Lady Masham, vividly described the problems when lymphoedema is not properly diagnosed and treated. The National Cancer Survivorship Initiative has shown how early diagnosis and symptom management through improved access to information and treatment would heavily reduce escalation and the need for hospital admissions, as well as reducing morbidity and complications.

The NHS could save £100 in reduced hospital admissions for every £1 spent on lymphoedema treatments that limit swelling and therefore avoid complications. I understand that England currently spends more than £178 million on admissions due to lymphoedema, with a rise in costs of £7 million from 2013 to 2014, equating to more than 22,904 additional admissions. It is predicted that the NHS, as the noble Lord, Lord Maginnis of Drumglass, said, could save £32 million a year by having a proper national strategy that provides a national service. That would mean that patients have fair access, rather than feeling discriminated against due to either the type of lymphoedema they have or where they live. It just does not make sense not to proceed with a strategy.

6.08 pm

The Parliamentary Under-Secretary of State, Department of Health (Lord Prior of Brampton) (Con): My Lords, first, I thank the noble Lord opposite for raising this very important matter. We have had a number of serious contributions to this debate. Like the people that the noble Baroness, Lady Smith of Newnham, spoke to, I had not heard of lymphoedema until about two months ago. The noble Baroness said that they were surprised that we talked about medical issues in the House, but at times I think that we talk of little else. I start by saying that if an apology is due from NHS England, I will raise that directly with Malcolm Grant when I see him next week. I am sure that he will offer one, if it is right to do so.

A number of general issues have come up from the contributions that we have had today. The first is the importance of early diagnosis, which is critical. My noble friend Lord McColl made that point very strongly. That applies to so many issues, not just lymphoedema. The link with obesity is another issue that has come over strongly in the debate today. It is another example of the damage that obesity is doing.

I think that I will pick up most of the issues raised by noble Lords during my speech, but I shall refer back to them as I go through.

It is generally accepted that somewhere between 76,000 and 250,000 people in England suffer from lymphoedema. As we have heard, the condition is caused by abnormal accumulation of lymph fluid in body tissue, which can be the result of a congenital defect or of damage to the lymphatic system or removal of lymph nodes by surgery, radiation, infection or injury. Any medical undergraduate who wishes to get up to speed on this condition should just read this debate. Both the noble Baroness, Lady Finlay, and my noble friend Lord McColl went into the condition in considerable detail.

Regarding the issue of a national strategy for lymphoedema, which is the essence of this evening's debate, I should first explain to the House that the

[Lord Prior of Brampton]
British Lymphology Society has submitted a proposal for a nationally commissioned specialised lymphology service to the Prescribed Specialised Services Advisory Group, which I will call PSSAG for the rest of this debate, which is due to be considered at its next meeting on 15 October.

Ministers established PSSAG in April 2013 to advise the Government on whether certain services for people with rare and very rare conditions are specialised and should be prescribed in regulations for commissioning by NHS England. Section 3B(1)(d) of the NHS Act 2006, as amended by the Health and Social Care Act 2012, gives the Secretary of State the power to require NHS England to commission such services nationally.

PSSAG is a Department of Health-appointed expert committee with membership drawn from a wide geographical spread, involving clinicians, commissioners, independent experts and members of the public. I stress members of the public because we have heard in this debate the power of personal experience from several noble Lords, including the noble Baroness, Lady Masham. Its chair is appointed by the Secretary of State for Health. The chair is Sir Ian Gilmore, who some in this House will know. Sir Ian is a very distinguished gastroenterologist and a former president of the Royal College of Physicians, so it is what I would call a proper committee.

Specialised services are those services provided in relatively few hospitals to small numbers of patients. National commissioning ensures that there are enough centres delivering care to nationally set standards to meet the needs of small patient populations requiring specialist treatment, and that those centres receive sufficient throughput of patients to maintain the expertise of the clinicians operating within them.

The Health and Social Care Act sets out four factors that should be taken into consideration when determining which prescribed specialised services should be directly commissioned by NHS England: first, the number of individuals who require the provision of the service or facility; secondly, the cost of providing the service or facility; thirdly, the number of experts able to provide the service or facility; and, finally, the financial implications for clinical commissioning groups if they are required to arrange for the provision of the service or facility.

PSSAG discusses each proposal with regard to the four factors set out above, but these are not prescriptive criteria or set tests, so there are no particular thresholds which must be met. Each proposal is considered on its own merits, in light of what is known at the time.

PSSAG may also seek advice from professional bodies. It collates all advice on a proposal and then considers the proposal against the four factors. If it agrees that a service meets the four factors, it advises Ministers accordingly. However, the regulations require that Ministers must consult NHS England before a final decision is made. I will of course advise the noble Lord on the outcome of PSSAG's decision in due course, and should the British Lymphology Society wish to discuss the outcome of its decision I am sure that Ministers—myself or others—or officials from the Department of Health will be happy to meet them.

A number of noble Lords have raised the issue of devolved Administrations in Wales, Northern Ireland and Scotland. It is true that national lymphoedema initiatives have been developed. The question was asked whether it was equitable that there should be national guidelines in the devolved Administrations and not in England, but health is a devolved matter. It may not seem equitable, but the point of devolution is that the devolved parts of the country will have different ways in which they treat different conditions. In England, responsibility for determining the overall strategic, national approach to improving clinical outcomes from healthcare services lies with NHS England, and the provision of lymphoedema care is the responsibility of local NHS commissioners. I would be very pleased to arrange a meeting with Martin McShane, director for long-term conditions at NHS England, so that the British Lymphology Society may discuss its concerns about improvements in lymphoedema care. Of course, that would include any noble Lords or noble Baronesses who want to attend that meeting.

The issue of education has been raised. The regulatory organisations of the UK medical professions, such as the General Medical Council and Nursing and Midwifery Council, set the standards for education and training and ensure educational institutions meet those standards in their delivery of the curriculum. I have no direct personal experience of this, and I know that the noble Baroness, Lady Finlay, for example, and my noble friend Lord McColl, do have direct experience, but, as I understand it, the lymphatic system and its important physiology is a fundamental part of undergraduate medical, nursing, physiotherapy and occupational therapy courses. I cannot verify that myself, but I am told that it is the case. This enables nurses, occupational therapists and physiotherapists to apply their clinical reasoning and manual skills to a patient suffering from lymphoedema. There are universities that offer postgraduate qualifications, including to Masters level, for those qualified healthcare professionals who wish to specialise in this area. In addition to this, the *British Medical Journal* provides an online learning course on lymphoedema.

Much of the service improvement guidance in England around lymphoedema has developed as a result of the national initiatives to improve cancer services and, more recently, a growing recognition of the support cancer survivors need for ongoing health problems after cancer treatment. A number of noble Lords have raised the point about the equity of those who suffer from this conditions because of cancer and those who suffer from other causes. That raises a broader issue about cancer more generally—that we spend more resource on cancer than almost any other condition, for all kinds of reasons. It is perhaps inevitable that those conditions associated with cancer get possibly earlier diagnosis and greater resources devoted to them. That raises broader issues about cancer and the treatment of other conditions.

Over the last five years, this Government have worked with Macmillan Cancer Support, NHS improvement organisations and NHS England to continue to drive forward the cancer survivorship agenda—first, through the national cancer survivorship initiative and then through the living with and beyond cancer programme,

which was set up in June 2014. On 19 July 2015, *Achieving World-Class Cancer Outcomes: A Strategy for England 2015-2020* was published by the independent cancer taskforce. It recommended that NHS England should accelerate the commissioning of services for cancer survivors, including the development of a minimum service specification to be commissioned locally for all patients, based on the recovery package.

The noble Baroness, Lady Masham, raised the issue of research. Through the National Institute for Health Research, we are funding a £1.8 million programme of research, looking at how breast cancer treatment can be individualised to improve survival and minimise lymphoedema and other complications.

I am sure that what I have said has not resolved a number of the issues that were raised by noble Lords. However, this debate has raised the issue and awareness of it. The issues are quite profound, and the differences between different parts of the United Kingdom are relevant to this debate. Whether the curriculum for medical students—undergraduates and postgraduates—is sufficiently geared to lymphoedema is a question that needs to be looked at by Health Education England and the various deaneries. I can assure the House that the PSSAG and Sir Ian Gilmore will read this debate and will no doubt take into account the issues that have been raised. As I promised at the beginning, I will raise it with Sir Malcolm Grant at NHS England and ensure that the British Lymphology Society gets a proper apology.

House adjourned at 6.20 pm.

Volume 764
No. 40

Wednesday
9 September 2015

CONTENTS

Wednesday 9 September 2015